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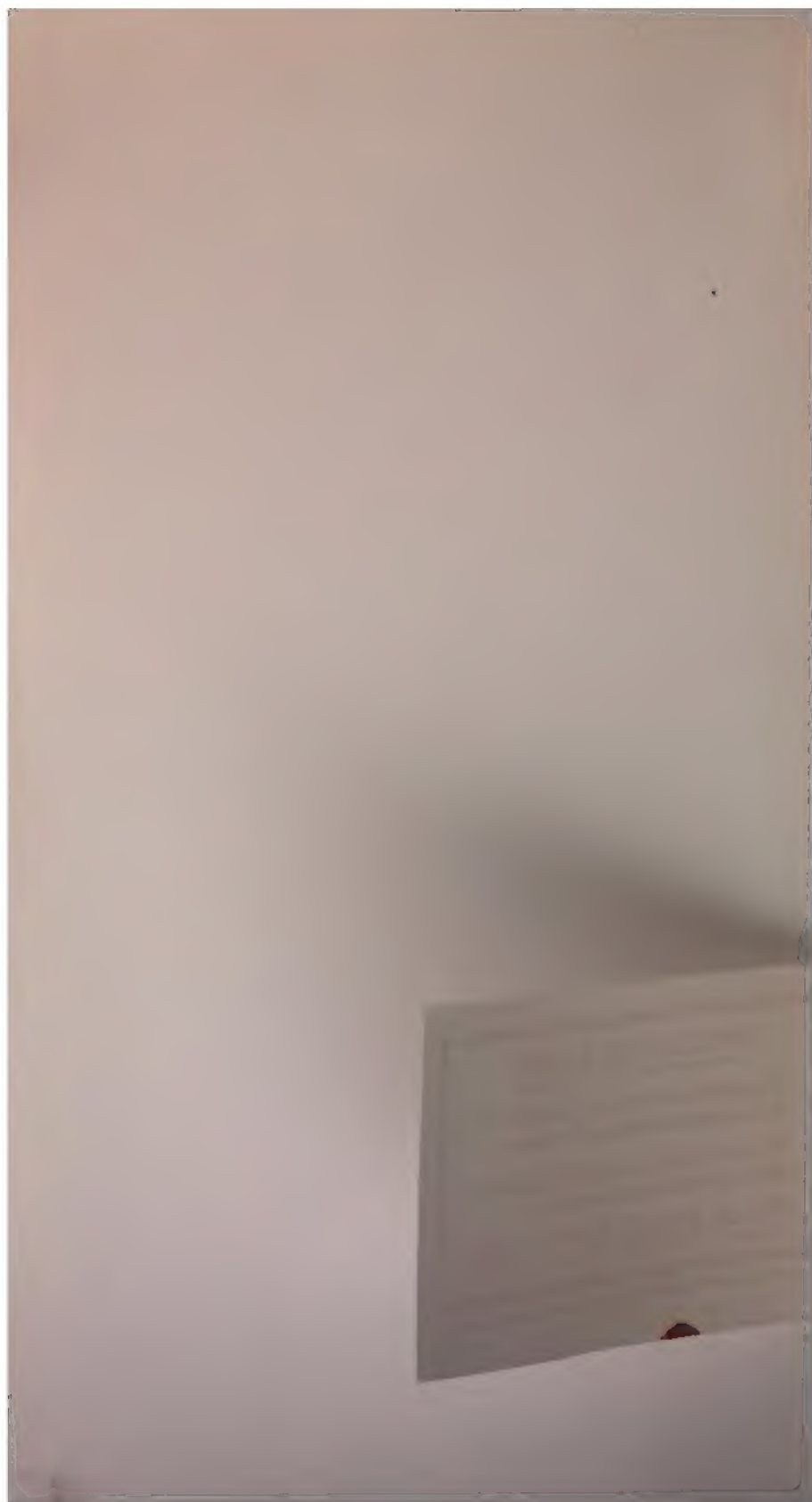












**THE  
COLONIAL LAWS  
OF  
NEW YORK**

**FROM THE  
YEAR 1664 TO THE REVOLUTION,**

**INCLUDING THE  
CHARTERS TO THE DUKE OF YORK, THE COMMISSIONS AND IN-  
STRUCTIONS TO COLONIAL GOVERNORS, THE DUKE'S LAWS,  
THE LAWS OF THE DONGAN AND LEISLER ASSEM-  
BLIES, THE CHARTERS OF ALBANY AND NEW  
YORK AND THE ACTS OF THE COLO-  
NIAL LEGISLATURES FROM 1691  
TO 1775 INCLUSIVE.**

**VOLUME IV.**

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**TRANSMITTED TO THE LEGISLATURE BY THE COMMISSIONERS OF STATUTORY  
REVISION, PURSUANT TO CHAPTER 125 OF THE LAWS OF 1901.**

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**ALBANY:  
JAMES B. LYON, STATE PRINTER.  
1894.**

345.22

N532



A24261

**THE TWENTY-SEVENTH ASSEMBLY.**

*Seventh Session.*

[Began Dec. 2, 1755, 29 George II, Sir Charles Hardy, Governor.]

[CHAPTER 992.]

[Chapter 992, of Van Schaack, and chapter 71 (vol. 2) of Livingston & Smith, where the title only is printed. Expired January 1, 1757.]

An Act to Regulate the Collecting the Duty  
of Excise on Strong Liquors retailed in this  
Colony

[Passed, December 23, 1755.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same That Cornelius Clopper junior Shall be and hereby is appointed Commissioner for Collecting the Duty of Excise of and from the Several Retailers of Strong Liquors within the City and County of New York from the first day of January One thousand Seven Hundred and Fifty Six to the first day of January One thousand Seven hundred and Fifty Seven

AND be it further Enacted by the Authority Aforesaid that the Said Commissioner Shall as Soon After the publication of this Act as he Shall judge Convenient, Appoint the Several Retailers within the Said City and direct and ascertain what each Retailer Shall pay for the Said Duty from the first day of January One thousand Seven hundred and Fifty Six to the first day of January One thousand Seven hundred and fifty Seven ALWAYS PROVIDED that the whole Sum to be laid on the Several Retailers in the Said City and County Shall be the full and entire sum of Nine hundred and forty four pounds, with the additional Sum of One hundred Pounds for his Commissions which is to be at the Rate of Five pounds per Cent, and for other incidental Charges For which Said Sum of One hundred pounds he Shall Account on Oath And if it exceeds his Commissions and incidental Charges, the Surplus thereof Shall be applied in ease of the Next Years Exercise And the Said sum of

Nine hundred and Forty four pounds Shall by the Said Commissioner be paid unto the Treasurer of this Colony on or before the first day of January One thousand Seven Hundred and fifty Seven.

AND be it further Enacted by the Authority Aforesaid That the Several and Respective persons hereafter Named Shall be and hereby are appointed Commissioners for Collecting the Said Duty of Excise of and from the Several and Respective Retailers within the Several and Respective Counties of this Colony and the Harbours Bay's and Rivers thereunto Respectively Adjoining or belonging VIZ't —

For the City and County of Albany the Mayor Recorder and Alderman of the Said City

For Kings County Abraham Bloome Esquire

For Queens County Samuel Burden & William Phillips

For Suffolk County Richard Floyd, Hugh Gilston and Samuel Landon Esquires

For Westchester County Edward Stephenson Esquire

For Dutchess County Clere Everet and Leendert Van Kleeck.

For Ulster County Jacob Turk and Johannes J, Jansen

For Orange County Moses Gale and David Blaawvelt

And for Richmond County Jacob Reseau and Hezekiah Wright Esq's

AND be it further Enacted by the authority Aforesaid that the Aforesaid Several and Respective Commissioners, or the Major part of them Respectively Shall as Soon as they Conveniently can After the publication of this Act meet at the County Halls of their Several and Respective Counties or at Such other place or places as they the Said Commissioners Shall respectively appoint for putting in Execution the powers and Authorities given by this Act. At which time or at such other time or times as they Shall judge Necessary the Said Commissioners or the major part of them Respectively Shall for their own Counties severally and Respectively fix the Number and appoint the several Retailers within their several and Respective Counties and direct and Ascertain what each Retailer Shall pay for the Said Duty of Excise from the first day of January one Thousand Seven hundred and fifty Six to the first day of January One thousand seven hundred and fifty Seven ALWAYS PROVIDED That the sum to be laid on the several



## LAWS OF THE COLONY OF NEW YORK. 3

Retailers in the City and County of Albany Shall be the full and Entire sum of One hundred and Seventeen pounds, with the sum of Thirteen pounds in addition thereto for the Charges of Managing the same.

On the Several Retailers in Kings County the full and Entire sum of Thirty Eight pounds three Shillings with the sum of Five pounds in Addition thereto for the Charges of Managing the same

On the Several Retailers in Queens County the full and Entire sum of one hundred and thirty Nine pounds Nine Shillings with the sum of Ten pounds in addition thereto for the Charges of Managing the Same.

On the Several Retailers in Suffolk County the full and Entire sum of Seventy Eight pounds fourteen Shillings, with the sum of Nine pounds in Addition thereto for the charges of managing the same.

On the Several Retailers in Westchester County the full and Entire sum of Sixty Six pounds with the sum of Ten pounds in Addition thereto for the Charges of managing the same.

On the Several Retailers in Dutchess County the full and Entire sum of Thirty Eight pounds three shillings, with the sum of Eight pounds in addition thereto for the Charges of managing the same.

On the Several Retailers in Ulster County the full and Entire sum of Thirty Eight pounds three shillings with the sum of Eight pounds in Addition thereto for the Charges of managing the same.

On the Several Retailers in Orange County the full and Entire sum of Nineteen Pounds fourteen shillings, with the sum of three pounds in addition thereto for the Charges of Managing the Same. And

On the Several Retailers in Richmond County the full and Entire sum of Twenty Eight pounds Seventeen Shillings, with the sum of One pound Ten shillings in addition thereto for the Charges of Managing the Same.

AND be it farther Enacted by the Authority Aforesaid that the Aforesaid Several and Respective Commissioners Shall before they enter on the Execution of the Powers and Authorities given by this Act enter into the following Recognizances unto our Sovereign Lord the King his Heirs and Successors before any Judge of the Supreme Court or of the Inferior Courts That is to Say

The Said Cornelius Clopper jun'r in the penal Sum of One thousand Eight hundred and Eighty Eight pounds

The Said Samuel Burden and William Phillips in the penal Sum of Two hundred Seventy Eight pounds and eighteen Shillings

The Said Abraham Bloome in the penal Sum of Seventy Six pounds Six shillings.

The Said Richard Floyd Hugh Gilston and Samuel Landon in the penal Sum of One hundred forty one pounds, Eighteen Shillings

The Said Edward Stephenson in the penal Sum of One hundred and Thirty two pounds

The Said Clere Everet and Leendert Van Kleecck in the penal Sum of Seventy Six pounds and Six Shillings

The Said Jacob Turk and Johannis J Jansen in the penal Sum of Seventy Six pounds and Six Shillings

The Said Moses Gale and David Blaawvelt in the penal Sum of Thirty Nine pounds and two Shillings

And the Said Jacob Reseau and Hezekiah Wright in the penal Sum of Fifty Seven pounds and Seventeen shillings

CONDITIONED That they Shall well and truly pay to the Treasurer of this Colony on or before the first day of January which will be in the Year of our Lord One thousand Seven hundred and fifty Seven the Several and Respective sums to be laid in Manner Aforesaid on the Several and Respective Retailers within their Several and Respective Counties exclusive of the Several and Respective sums by this Act Allowed for the Charges of Management

AND be it further Enacted by the Authority Aforesaid that the Aforesaid Several and Respective Retailers Shall pay the Aforesaid Several and Respective sums laid or to be laid on them unto the Aforesaid Several and RESPECTIVE Commissioners on or before the first Day of December One thousand Seven hundred and Fifty Six For Securing which payment the Said Commissioners Shall Respectively Oblige the Said Several and Respective retailers to give such Security as they the Said Commissioners Shall Judge Necessary ALWAYS PROVIDED that Such Retailers in the City of New York as Shall be rated three pounds and under Shall Not be permitted or have any liberty to Retail unless they immediately pay the Several and respective Sums they Shall be Rated at to the Aforesaid Commissioner any thing herein before contained to the Contrary Notwithstanding



AND be it further Enacted by the Authority Aforesaid that in case any Person or Persons Whatsoever other than Such as the Said Commissioners Shall permit Shall presume to Sell any Strong Liquor by Retail directly or indirectly he She or they So offending Shall for each Such offence forfeit the sum of Six Pounds to be recovered by the Said Commissioner or Commissioners Respectively on the Oath of any one Creditable Witness in a Summary Way in the Cities of New York and Albany before the Mayor or Recorder and one or more Aldermen of the Said Cities respectively. And in the Several Counties before any Justice of the peace within the Said Counties Respectively And if upon Conviction the Said Forfeiture be Not paid the Same shall be levied on the Goods and Chattles of the Offender or Offenders by Warrants under the hands and Seals of the persons before whom Such Conviction Shall happen And if no Goods or Chattles are found on which to distrain it shall be Lawfull to the persons who heard and determined the Cause to commit the Offender or Offenders to Goal without Bail or Mainprize for the Space of three Months unless the Said penalties are sooner discharged And the Said Respective Magistrates Shall be and hereby are fully impowered directed and Required to hear and determine those matters in the manner aforesaid and to give Judgment and if Need be to Award Execution thereon and to Issue a Warrant or Warrants for the Commitment of Offenders as the Case may require One third of which Forfeitures Shall be to the Informer or Informers One third to the Said Commissioners And one third to the poor of the Town Manor or Precinct where the offence Shall be Committed To be paid into the hands of the Church Wardens or Overseers of the poor of the Said Respective place or places by the officer or officers by whom the Same shall be levied Any thing in any of the Acts of this Colony to the Contrary Notwithstanding.

AND be it further Enacted by the Authority Aforesaid that the Several Retailers who Shall be permitted and allowed to Retail by the Said Commissioner or Commissioners Shall before they do So Retail any Strong Liquor enter into Recognizances that is to Say in the City's of New York and Albany before THE respective Mayors thereof and in the Several Counties of this Colony before Two Justices of the peace in the penal Sum of Twenty pounds with sufficient sureties in the like Sum CONDITIONED to keep an Orderly House according to Law during

the time they Shall be permitted to Retail as Aforesaid and thereupon the Said Respective Mayors or the Said Justices Shall grant to the person or Persons who have entered into Such Recognizances a Licence under his or their hands and Sea's to Retail Strong Liquors in such House or place as Shall be mentioned therein during the Continuance of this Act Which Recognizances are to be lodged by the Person or Persons before whom the Same Shall be taken VIZt In the City's of New York and Albany with the Town Clerk And in the Several Counties with the Respective Clerks thereof And upon Complaint of the breach of the Said Condition it Shall be lawful for the Said Mayors and Aldermen of New York and Albany or the greater number of them and in the Counties for the Justices of the General or Special Sessions of the peace to Suppress the Licence or Licences of Such Offender or Offenders

AND be it further Enacted by the authority Aforesaid That in case any of the persons who Shall be permitted to Retail Strong Liquors as aforesaid by the Said Commissioners or Commissioners Shall presume to Retail before he She or they have Obtained a Licence and entered into Recognizances to keep an Orderly House as Aforesaid he She or they So Offending Shall Respectively forfeit the Sum of Six pounds for each offence to be recovered in a Summary Way in the manner before directed One half thereof to the Informer or Informers And the other half to the poor of the Town Manor or Precinct where the Said Forfeiture Shall Arise

AND that the expence OF being Qualified to Retail may be Within the bounds of Moderation BE IT ENACTED by the Authority Aforesaid that No More Shall be taken for a Licence and Recognizance in the City's of New York and Albany than the usual and Accustomed Fees And in the respective Counties than the Sum of three Shillings.

AND be it further Enacted by the Authority Aforesaid that Such Persons permitted to Retail as Aforesaid by the Said Commissioner or Commissioners who retail Strong Liquors Not to be drank in their own Houses but Carried elsewhere Shall not be obliged to enter into Recognizances and take Licences as Aforesaid Anything contained in this Act to the Contrary Notwithstanding

AND be it Enacted by the Authority Aforesaid That in case all the Several Sums for which the Excise Shall be let in the Several and Respective City's and Counties of this Colony

Shall fall Short of the Sums herein before Rated on the Said Several and Respective Cities and Counties with the Aforesaid incidental Charges of Letting and Collecting the Same Then the Commissioner or Commissioners Aforesaid Where Such deficiencies Shall happen Shall be and are hereby Impowered to Call the Retailers before them and Assess and Rate Such Sum and Sums upon them as Shall be Sufficient to make up Such deficiency Which Said Additional Sums Shall be Collected and paid in the Same Manner with the Several and Respective sums first laid.

AND be It further Enacted by the Authority Aforesaid that in case of the Death of any of the Aforesaid Respective Commissioners the Surviving Commissioner or Commissioners where Such Death may happen Shall be and hereby is and are intitled to the Whole Reward And Vested with the Same powers and Authorities to Execute this Act as if no Such Death had happened And in case of the Death of all the Commissioners of any of the Said Respective City's or County's then the Sheriff or Sheriffs for the time being of the City's County or County's where Such Death may happen Shall be and hereby is and are Vested with all the powers and Authorities given to the Commissioners by this Act be under the Same Regulations and intitled to the Same Reward to all intents Constructions and purposes Whatsoever as if they had been particularly Named and appointed in this Act Any thing in this Act to the Contrary Notwithstanding

AND be It further Enacted by the Authority Aforesaid That all the Money's to be paid to the Treasurer of this Colony by Virtue of this Act Shall be employed for and towards Cancelling the Bills of Credit Struck and Issued upon the said Duty of Excise at the times and in the Manner directed in and by an Act Entituled "An Act for the more effectual Cancelling the Bills of Credit of this Colony" passed in the Twenty first Year of his Majesties Reign And to and for No other Use or Purpose Whatsoever Except So much thereof as is otherways Applied by an Act Entituled "An Act further to Continue the Duty of Excise and the Currency of the Bills of Credit Emittid thereon for the purposes in the former Act and herein mentioned" passed in the Twenty Seventh Year of his Majesties Reign.

AND be It Also Enacted That the Retailers in the City of New York shall pay the Excise in three Several payments or Sooner as the Commissioner and they Shall Agree. PROVIDED AL-

WAYS that nothing in this Act Shall be CONSTRUED to make void Abridge or in any way lessen the Several Rights and Priviledges Granted unto the City's of New York and Albany by their Respective Charters Any thing Contained in this Act to the Contrary thereof in any wise Notwithstanding

[CHAPTER 993.]

[Chapter 993, of Van Schaack, where the title only is printed. Chapter 72 (vol. 2) of Livingston & Swith, where the act is printed in full.]

An Act to enable his Excellency the Governor or Commander in chief for the time being to make detachments from the Militia of the Several Counties therein mentioned for protecting and securing the Frontiers of this Colony

[Passed, December 23, 1755.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same That his Excellency the Governor or Commander in chief for the time being Shall be and hereby is Impowered and enabled in case Volunteers cannot be procured to detach from the Militia of the County of Orange Thirty effective Men and from the Militia of the County of Ulster Thirty effective men to be formed into one Body under a Captain and Lieutenant to Serve as a Company of Rangers on the Western Frontiers of this Colony for the Space of One hundred Days to be Computed from the time of their Entering on the Said Service according to Such Orders directions and Instructions as they Shall from time to time Receive from his Excellency the Governor or Commander in chief for the time being

AND be it further Enacted by the Authority Aforesaid That If any Person or Persons So detached Shall refuse the Said Service he or they So Refusing Shall be deemed Deserters and Shall be proceeded against and punished in the Manner herein After directed

AND be it further Enacted by the Authority Aforesaid That in case a Sufficient Number of Volunteers cannot be procured to furnish the full Quota of this Colony for Garrisoning Fort Edward and Fort William Henry on the Northern Parts of this Colony According to an Agreement entered into by Commissioners from the Colony's of Massachusetts Bay Connecticut and

this Colony touching the same, It Shall and may be lawfull for his Excellency the Governor or Commander in cheif for the time being and he is hereby impowered and Enabled to detach from the Militia of the County's of Albany or Dutchess or from both as Shall appear most for his Majesties Service Such Number of effective men as may be Sufficient to compleat the full Quota of this Colony according to the Aforesaid Agreement and in case any person or Persons So detached Shall refuse the Said Service or they So refusing Shall be deemed Deserters and Shall be provided Against and punished Accordingly

AND be it further Enacted by the Authority Aforesaid That in case any Person or Persons engaged in the aforesaid Service either as Rangers or in Garrison either officers or Soldiers Shall at any time during the Said Service desert therefrom or Shall begin excite cause or join in any Mutiny or Sedition in the Company to which he doth belong or in any other Company engaged in the Said Service or Shall hold Correspondence with any Rebel or Enemy of his Majesty or give them advice or Intelligence by Letters Messages Signs or Tokens or any Manner of Way Whatsoever or Shall Strike or use any Violence against his Superior Officer being in the Execution of his office or Shall Refuse to Obey Any Lawfull Command of his Superior Officer they shall Respectively Suffer Death or Such other punishment as Shall be inflicted by a Court Martial Which Court Martial Shall be Constituted Appointed and held by Commission from the Governor or Commander in Cheif for the time being under the Great Seal of this Province.

[CHAPTER 994.]

[Chapter 994, of Van Schaack, where the title only is printed. Chapter 2 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 958. Continued by chapter 1037.]

An Act farther to Continue an Act Entituled An Act for granting to his Majesty the Several Duties and impositions on Goods Wares and Merchandizes imported into this Colony therein Mentioned.

[Passed, December 23, 1755.]

WHEREAS the Act Entituled "an Act for granting to his Majesty the Several Duties and impositions on Goods Wares and



Merchandizes Imported into this Colony therein Mentioned" Passed in the Twenty Seventh Year of his Majesties Reign hath been by a Subsequent Act continued to the first day of January next And the General Assembly being Willing further to provide for his Majesties Service

BE IT THEREFORE Enacted by his Excellency the Governor the Council and the General Assembly And it is hereby Enacted by the Authority of the Same That the Said Act Entituled "An Act for granting to his Majesty the Several Duties and impositions on Goods Wares and Merchandizes imported into this Colony therein Mentioned" Shall be and hereby is further Continued and every Clause Matter and thing therein contained Enacted to be and Remain of full force to all intents Construtions & purposes Whatsoever from the Said first day of January Next untill the first day of January which will be in the Year of Our Lord One thousand Seven hundred and Fifty Seven inclusive.

[CHAPTER 995.]

[Chapter 995. of Van Schaack, and chapter 71 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act for the Relief of Insolvent Debtors with Respect to the Imprisonment of their persons in the City's of New York and Albany.

[Passed, December 23, 1755.]

WHEREAS many persons by Losses and other Misfortunes are rendered Incapable of Paying their whole Debts and tho' they are willing to make the utmost Satisfaction they can are Nevertheless detained prisoners by their Creditors and WHEREAS Such unhappy Debtors have always been deemed the proper Objects of publick Compassion Therefore for the Relief of Such Prisoners within the City's of New York and Albany who Shall be willing to Satisfy their Creditors as far as they are Able

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same That if any person or persons within either of the Said City's now Charged in Execution or having been Committed for the Space of three Months or longer upon a Capias before the publication of this Act whose debt or debts do not exceed in the whole the sum of Fifty pounds or that if any

person or Persons within either of the Said City's Charged or Committed as Aforesaid for the Space of Two Months Whose Debt or Debts do Not exceed Twenty Five pounds or that if any person or Persons within either of the Said City's charged or Committed as aforesaid for the Space of Twenty Days whose debt or Debts do Not exceed Ten pounds Current Money of this Colony Shall be minded to deliver up to his her or their Creditors all his her or their Effects towards the Satisfaction of Such Debts it Shall and may be Lawfull for Such Prisoner or Prisoners to exhibit a Petition to any of the Courts of Law within either of the Said Citys of New York or Albany from whence the process issued upon which he She or they was or were taken in Execution or other process as Aforesaid Certifying the Cause or Causes of his her or their Imprisonment and an Account of his her or their Whole Estate both Real and personal with the Dates of the Securities wherein any part of it Consists And the Books Deeds and Notes relating thereto with the Names of the Witnesses to the Same So far as his her or their Knowledge extends thereto and upon Such petition the Court May and are hereby required by Rule of Court to cause the Prisoner to be brought before them and the Several Creditors at whose Suit or Suits he She or they Stand Charged and all other his or her Creditors that are or can be known to the Court to be Summoned to appear personally or by their Attorney's at a Day to be appointed for that purpose And Upon the Day of Such Appearance if any of their Creditors Summoned refuse or Neglect to Appear Upon affidavit made of the due Service of Such Rule or Order or upon Affidavit made that the Creditor or Creditors are not to be found the Court Shall in a summary Way Examine into the Matters of the Said petitions and hear what can or Shall be alledged ON either Side for or against the discharge of Such Prisoner And upon Such their Examination the Court may and are hereby required to administer or Tender the Prisoner an Oath or Affirmation to the effect following Which Oath or Affirmation the Said Court are hereby impowered to Administer— I A. B do Solemnly Swear in the presence of Almighty God (or being of the People called Quakers Sincerely and truly declare and Affirm) That the account of me delivered in my Petition doth contain a full and true account of all my Real and Personal Estate Debts Credits and effects Whatsoever Which I or any in trust for me have or at the time of my

Petition had or am or was in any Respect Entitled to in possession Remainder or Reversion except my personal Wearing Apparel and Bedding not exceeding Five Pounds in Value in the whole and the Necessary Tools and Instruments of my Trade and calling not exceeding Five Pounds in Value in the Whole And that I have not at any time since my Imprisonment or before directly or indirectly Sold Leased Assigned or otherwise disposed of made over in trust for my Self or otherwise other than is Mentioned in Such Account any part of my Lands Estate or Goods Stock Money Debts or other Real and Personal Estate Whereby to have or expect any benefit or profit to my Self or to defraud any of my Creditors to whom I am Indebted. And in case the Prisoner Shall in Open Court take the Said Oath or Affirmation and upon Such Examination and his or her taking the Oath or Affirmation the Creditors shall be Satisfied with the Truth thereof The Court may immediately order the Lands Goods and effects contained in such account or so much of them as may be Sufficient to Satisfy the Debts wherewith he or She is or Shall be Charged together with the Cost of Suit and the Fees due to the keeper of the Goal or Prison of the City's of New York or Albany to be by a Short Indorsement on the Back of Such Petitions assigned by the Prisoner to the Said Creditors or one or more of them in Trust for the Rest of them or to Some proper person to be by the Said Court Appointed in Trust for all the Creditors And by Such Assignment the Estate Interest and property of the Lands Goods Debts and effects So Assigned Shall be Vested in the Person or Persons to whom Such Assignment is or Shall be made who may take Possession of or Sue for the Same in his or their own Name or Names in like Manner as Assignees of Commissioners of Bankrupts To which Suit no Release of the Prisoner his or her Executors or administrators or any Trustee for him or her Shall be any Bar And immediately upon Such Assignment executed the Said prisoner Shall be discharged out of Custody by order of the Court and Such order Shall be a Sufficient Warrant to the Sheriff Goaler or keeper of Such Prison to discharge Such Prisoner if detained for the Causes mentioned in Such Petition and no other and he is hereby required to discharge and Set him at liberty forthwith without Fee nor Shall Such Sheriff or Goaler be liable to any Action of Escape or other Suit or Information upon that account And the



Person or Persons to whom the Said effects Shall be Assigned paying the Fees to the Goaler or Keeper of the Prison of the City's of New York or Albany Shall BE and are hereby required to Divide the Effects So Assigned among the Creditors and all the Persons for whom they Shall be intrusted in proportion to their Respective Debts But in case the Person or Persons at whose Suit Such Prisoner was Charged in Execution or any other process, or any other Creditors Shall not be Satisfied with the Truth of Such Oath or Affirmation but Shall desire farther time to inform himself of the Matters contained therein the Said Court may and Shall Remand the Said Prisoner and direct the Said Prisoner and the Person or Persons dissatisfied with Such Oath or Affirmation to Appear at another Day to be appointed by the Said Court And if at Such Second Day So to be appointed the Creditor or Creditors So dissatisfied with Such Oath or Affirmation Shall Make default in appearing or in case he or they Shall appear but shall be unable to discover any Estate or Effects of the Prisoner Omitted in Such his or her Petition or shew any probability of his or her having been forsworn or to have declared falsely in the Said Oath or Affirmation then the Said Court Shall immediately cause the Said Prisoner to be discharged upon Such Assignment of his or her Effects in Manner as Aforesaid Unless Such Creditor or Creditors do insist upon his or her being detained in Prison And do agree by Writing under his hand to Pay and Allow any Sum of Money that Shall be Assessed by the Court not exceeding Three shillings per Week unto the Said Prisoner to be paid the Monday of every Week So long as he or She Shall continue in Prison at his her or their Suits on failure of the Payment of Which Weekly Sum at any time the Said Prisoner Shall forthwith upon Application to the Court be discharged by Such Order As Aforesaid But in Case the Prisoner Shall Refuse to take the Said Oath or Affirmation or haveing taken the Same Shall be detected of Falsity therein he or they Shall be presently remanded.

AND be it further Enacted by the Authority Aforesaid That no Person to be discharged Shall at any time hereafter be imprisoned by Reason of any Judgment or decree Obtained for payment of Money only or for any Debt Cost Sum or Sums of Money Contracted Occasioned owing or growing due before the time of his or her discharge but that upon every Arrest every Such Judgment or decree for Such Debts Cost Sum or Sums of

Money it Shall and may be lawfull for any Judge of the Court where the Process issued upon Shewing the Duplicate of Such Prisoners discharge or discharges To Release and discharge out of Custody Such Prisoner or Prisoners as Aforesaid and the Judge is hereby impowered So to do So as every Such Prisoner or Prisoners Arrested or detained in Execution or other Process as Aforesaid do give a Warrant of Attorney to Appear to every Such Action and Plead thereunto

AND be it further Enacted by the Authority Aforesaid That if any ACTION of Escape or any Suit or Action be brought against any Sheriff Goaler or Keeper of any Prison of the City's of New York or Albany for performing their Office in pursuance of this Act they may plead the General Issue and give this Act in Evidence and if the plaintiff be Nonsuited or discontinue his Action or Verdict pass Against him or Judgment upon Demurrer the Defendant shall have Treble Costs PROVIDED that the discharge of any Person by Virtue of this Act Shall not acquit any other person from Such Debts Sum or Sums of Money or any part thereof but that all others Shall be Answerable for the Same in Such manner as before the passing of this Act AND PROVIDED That this Act Shall not extend to discharge any person out of Prison who Shall Stand charged at the Suit of the Crown Only

PROVIDED always and be it further Enacted by the Authority Aforesaid That Notwithstanding the discharge of the Person or Persons of Such Prisoner or Prisoners as Aforesaid all and every Debt or Debts due and owing from the Said Prisoner or Prisoners and all and every Judgment and Judgments had and taken and Decree Obtained against him or her Shall Stand and be good and effectual in Law to all Intents and purposes against the Lands Tenements Hereditaments Goods and Chatties of the Said Prisoner So discharged as Aforesaid which he she or they or any person or Persons in Trust for him her or them at the time of such discharge hath or have or at any time hereafter Shall or may be in any wise Seized or possessed of Interested in or Intituled to either in Law or Equity except his her or their Wearing Apparel Bedding for his her or their Families and Working Tools and Implements Necessary for his her or their Occupation not exceeding the Value of Ten pounds in the whole And it Shall and may be Lawfull to and for Such Creditor or Creditors of Such Prisoner or Prisoners So discharged as Aforesaid his her or their Executors or Adminis-

trifors to take out a New Execution Against such Lands Tenements Hereditaments Goods and Chattles of Such Prisoner or Prisoners (except as before excepted) for the Satisfaction of his her or their Debts in Such Sort Manner and Form as he She or they might have done if the Person or Persons of Such Prisoner or Prisoners had Never been taken in Execution or other process as Aforesaid Any Act Usage Law or Custom to the Contrary in any wise Notwithstanding.

PROVIDED also and be it further Enacted by the Authority Aforesaid that if Such Person who Shall take Such Oath or Affirmation as Aforesaid shall upon any Indictment of Perjury in any Matter or particular contained in the Said Oath or Affirmation be Convicted by his or their own Confession or by the Verdict of Twelve Men as he or She may be by force of this Act The Person So Convicted shall Suffer ALL the pains and Forfeitures which may by Law be inflicted on any Person Convicted of Wilfull Perjury and Shall likewise be liable to be taken on any Process De Novo and Charged in Execution for the Said Debt in the Same Manner as if he or She had Never been discharged or taken in Execution before and Shall Never After have any benefit of this Act

PROVIDED also and be it further Enacted by the Authority Aforesaid That if the Effects So Assigned Shall not extend to Satisfy the whole Debts due to the Creditors of the person or Persons So discharged and the Fees Due to the Goaler there shall be an Abatement in proportion and Such Goaler Shall come in as a Creditor for what Shall then be due to him for his Fees in proportion with other Creditors.—

AND be it further Enacted by the Authority Aforesaid That where there are any Mutual Debts between Such Debtor or Debtors and his her or their Creditors or if either party Sue or be Sued as Executors or Administrators where there are any Mutual Debts between the Testator or Intestate and either party one Debt Shall be Set Against the other and Such Matter may be given in Evidence upon the General Issue or Pleading in Bar as the Nature of the Case Shall require So as at the time of pleading the General Issue when any Such Debts of the plaintiff his Testator or Intestate is intended to be insisted on in Evidence Notice Shall be given of the particular Sum or Debts So intended to be insisted on and upon what Account it became due Otherwise Such Matter Shall not be Allowed in Evidence upon the General Issue PROVIDED that where any Rent Shall

be due from any Prisoner or Prisoners at the time of his her or their Respective discharges no Goods or Chatties then lying or being in or upon the Respective Tenements or Lands So in lease or liable to be distrained Shall be removed or disposed of without Consent of the Landlord or Person to whom the Rent is due untill the Same be paid or Satisfied, And that the Landlord may use all Lawfull Ways for having and recovering his Rent So as that the Same exceed Not one Years Rent by distress or otherwise as he might have had or could have done Before the making of this Act Any thing herein Contained to the Contrary in anywise Notwithstanding AND PROVIDED ALSO That this Act Shall Not Barr any Absent or distant Creditors who had Not Notice of the Prisoners Application to the Court as Aforesaid.

AND be it Enacted by the Authority Aforesaid that this Act Shall be in Force from the publication thereof untill the first Day of January which will be in the Year of our Lord One thousand Seven hundred and fifty Seven.

#### [CHAPTER 996.]

[Chapter 996, of Van Schaack, where the title only is printed. Chapter 75 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 972. Continued by chapter 1024.]

An Act to Continue an Act Entitled An Act for Regulating the Militia of the Colony of New York with Some Additions thereto.

[Passed, February 19, 1756.]

WHEREAS an Act Entitled "An Act for Regulating the Militia of the Colony of New York" passed in the Twenty Eighth Year of his Majesties Reign will expire by its own Limitation on the Nineteenth day of February Next: And the Same having been found highly usefull.

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same That the Said Act Entitled "An Act for Regulating the Militia of the Colony of New York" Shall be and hereby is continued and every Clause Article Matter and thing therein contained Enacted to be and Remain in full force and Virtue to all Intents Constructions and purposes Whatsoever from the Said Nineteenth day of February Next untill the

first day of January which will be in the Year One thousand Seven hundred and fifty Seven.

AND WHEREAS in and by the Aforesaid Act it is provided and Enacted that the Several Sums of Money to be paid by the people called Quakers and those of the Congregations of the United Brethren for an Exemption from Military Service Should be levied within three Months after the publication of the said Act And many of the said Sums not having been levied within the said time It is now become doubtfull whether the same can be now levied by Virtue of the said Act for clearing which doubt BE IT ENACTED by the Authority Aforesaid That the Several County Treasurers for the time being shall be and hereby are Authorized impowered and Strictly required within one Month After the publication of this Act to levy all the said Sums pursuant to the directions of the said Act and in case any of the said County Treasurers shall Neglect or omit to do the duty hereby required of them they shall Respectively for each Offence forfeit and pay the sum of Twenty Pounds to be sued for and recovered by the Treasurer of this Colony and applied for purchasing Arms and Ammunition for the use of the County where the Said Forfeiture Shall arise under the Regulations contained and provided in and by the Aforesaid Act, anything in the said Act to the Contrary Notwithstanding

AND be It further Enacted by the authority Aforesaid that the Several Certificates of the aforesaid People which are entered in the Clerks Office IN any of the City's or Counties of this Colony pursuant to the aforesaid Act shall continue to each of the Persons therein Named the several Exemptions Contained in the said Act and the Several and Respective County Treasurers shall within three months After the publication of this Act Levy the further Sum of Twenty Shillings of and from each of the said Persons according to the Directions and under the Penalties Contained in the preceding Clause unless any of the said Persons shall desire to withdraw their Certificates in which Case the said Respective Clerks Shall Erase the Name of Such person or Persons and they shall be no longer Entitled to the said Exemption And the said Clerk shall immediately acquaint the Captains of the districts to whom the said persons belong of their withdrawing their Certificates that the Said Captains may again call upon them for the performance of Military Service and in all cases where Certificates Shall be Entered in any of



the Clerks Offices of this Colony during the continuance of this Act to Entitle any of the Said People to the Exemptions of the aforesaid Act the said Clerks shall within One Month After every such Entry give the Treasurer of the County where Such Entry Shall be so made an account thereof and the said Treasurer shall within one Month after Such account delivered to him cause the said Several Sums to be levied in manner Aforesaid and every County Clerk or Treasurer who Shall Omit to do their Respective Duties hereby enjoined them shall Respectively forfeit the sum of Five pounds to be recovered and Applied as is herein before provided with Respect to Such County Treasurers as shall neglect the Duty enjoined them by this Act.

And whereas the County of Albany is more exposed to the Attempt of an Enemy from Canada than any other part of this Colony and in case any Attack on that quarter should succeed, it might occasion the Detection of the six Nations of Indians Be it therefore enacted by the Authority aforesaid that the Colonel, or in his absence the next Commanding Officer of the Militia of the County of Albany shall be and he is hereby empowered and required from time to time to send out such Detachments of Men in their turns as he shall conceive necessary to be employed as Outscouts or Rangers, the better to guard against being surprized by an Enemy, and to enable him to defeat their Designs. And the Person neglecting or refusing to perform such Duty shall forfeit the sum of five Pounds to be levied by Warrant from the said Colonel or next Commanding officer, and applied towards purchasing of Arms for the use of the Regiment Provided that no such Detachments shall be employed at any one time longer than six days.

#### [CHAPTER 907.]

(Chapter 907. of Van Schaack. and chapter 76 (vol. 2) of Livingston & Smith, where the act is printed in full.)

#### An Act to Enable Creditors more easily to Recover their Debts from joint partners

[Passed, February 19, 1758.]

WHEREAS Creditors are often put to great Trouble and difficulty in Recovering Debts due from Joint-Partners the proceeding to outlawry against Persons who cannot be taken by process not being in use in this Colony and Doubts have arisen

whether any one Joint partner is now compellable to Answer for the partnership Debts unless all are brought into Court which many times cannot be done for Remedy Whereof:

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That all Persons that now are or hereafter shall be Jointly indebted to any other Person or Persons Whatsoever for any Joint Contract Obligation Matter or thing whatsoever for which Remedy could or Might be had at Law Against Such Debtors in case all were or could be taken by Process Issued out of the Courts of this Colony Shall be answerable to their Creditors Separately for Such Debts that is to Say Such Creditor or Creditors Shall and may Issue Process against Such Joint Debtors in the manner now in use And in case any or either of Such Joint Debtors Shall be taken and brought into Court by Virtue of Such Process he She or they so taken and brought into Court Shall Answer to the Plaintiff or Plaintiffs and in case the Judgment pass for the plaintiff or Plaintiff HE or they Shall have his or their Judgment and Execution against them that are brought into Court and against the other Joint Debtors Named in the Process in the same Manner as if they had been all taken and brought into Court by Virtue of such Process. Provided always that it shall not be lawful by virtue of this Act to execute such Execution against the Body or Lands or Goods the sole Property of any Person not brought into Court.

#### [CHAPTER 998.]

[Chapter 998. of Van Schaack, and chapter 77 (vol. 2) of Livingston & S. 2, where the title only is printed. Repealed by chapter 1148.]

An Act to enable the assignees of Insolvent Debtors more effectually to dispose of the Estates of such Debtors for the benefit of their Creditors

[Passed, February 19, 1756.]

WHEREAS In and by an Act Entituled "An Act to enable the Creditors of Insolvent Debtors who are willing to give up their Effects to dispose of the same for the benefit of their Creditors and to Release the said Debtors from Imprisonment" made and passed in the Twenty Ninth Year of his present Majesties Kings It is therein and thereby among other things declared

and Enacted That the Assignee or Assignees of the Estate of such Debtor or Debtors (who by the said act is are and Shall be intitl'd to the benefit thereof on his or their Compliance with the terms and Conditions in the said Act Mentioned and expressed shall have full power and Authority to Sell and dispose of all the Estate of such Debtor or Debtors and to execute good and Sufficient Deeds for the Same AND WHEREAS Such Debtor or Debtors is are Shall or may be Seized of one or more Messuages or Dwelling houses and Lotts of Ground or of Land Tenements and Hereditaments in Fee Tail in Possession Reversion or Remainder which Estate or Estates unless the Entail be Cut off by a Common Recovery would prove of very small Value to the Creditors of Such Person or Persons To the end therefore that the assignee or assignees of the Estate of such Debtor or Debtors who is are or shall be intitl'd to the benefit of the Said Act may have full power to sell and dispose of such Entailed Estates in Fee Simple

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same that Such assignee or assignees After a legal Grant Conveyance and Assignment of Such Debtor or Debtors Estate Shall be made pursuant to the Said Act Shall have and are hereby declared to have full power by Virtue of this Act by Indentures of Lease and Release Deed Poll or Deed of Feofment or by either of the said ways or means to grant Bargain Sell Release Enfeof and Convey all and every the Messuages or dwelling Houses and Lots of Ground Land Tenements and Hereditaments whereof any such Debtor or Debtors were in any wise Seized of any Estate in Tail in Possession Reversion or Remainder and Whereof No Reversion or Remainder is or Shall be in the Kings Majesty his Heirs or successors of the Gift or Provision of his Majesty his Progenitors Heirs or Successors to any Person or Persons his and their Heirs and assigns for Ever for the benefit of all and every the Creditors of such Debtor or Debtors and that all and every Such grants BARGAINS Sales Releases Conveyances or assurances Shall be good Sufficient and Available in the Law to pass an Estate of Inheritance in Fee Simple to Such Person or Persons and their Heirs against Such Debtor or Debtors and against all and every the Issues of the Body of such Debtor or Debtors and against all and every Person & Persons claiming any Estate



Right Title or Interest by from or under the Said Debtor or Debtors After the assignment made of Such Debtor or Debtors Estate as in and by the said Act is directed and Against all and every other Person or Persons Whatsoever whom the Said Debtor or Debtors by common Recovery or otherways or means might cut off or debarr from any Remainder Reversion Rent Profit Title or Possibility into or out of any the said Messuages or Dwelling houses Lotts of Ground Lands Tenements and Hereditaments

[CHAPTER 899.]

[Chapter 899, of Van Schaack, and chapter 78 (vol. 2) of Livingston & Smith, where the act is printed in full.]

An act to oblige all persons that come to Inhabit or Reside in the City of Albany and Township of Schenectady in the County of Albany in order to expose any Goods Wares or Merchandizes to Sale at any time after the annual Assessments made for the Necessary and Contingent Charges of the Said City and Township to pay their just proportions towards the Same.

[Passed, February 19, 1756.]

WHEREAS many Persons having considerable personal Estates frequently come to Reside in the City of Albany and Township of Schenectady in the County of Albany After the Assessments made and Completed for paying the Necessary and Contingent Charges of the said City and Township Who Contribute nothing towards Paying the Same for Remedy Whereof

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same that the Several and respective Assessors of the City of Albany and Township of Schenectady Aforesaid for the time being Shall and they are hereby Required once in every Month After the Said Assessments Made and Completed until the Month of December then Next following to make diligent enquiry in the respective Wards in the Said City or Township for which they Shall be Chosen Assessors for all Persons who shall come to inhabit or Reside in their Said Wards & Township in order to expose any Goods Wares or Merchand-

dizes to Sale and that have not been Assessed in the said Assessments and Shall demand of Such Person or Persons So coming to Inhabit or Reside therein a just and true account upon the Oath or Affirmation of Such Person or Persons of the whole amount or Value of all the Goods Wares and Merchandizes which Such Person or Persons Shall bring into Such Ward or Township and that thereupon the Said Assessors of Such Ward or Township Shall Rate Such Person or Persons So coming into Such Ward or Township in the same manner and proportion as the other Inhabitants were Rated and that thereupon Such Assessors Shall deliver in Writing under their hands to the Collectors of their Respective Ward or Township who Shall be appointed and empowered to Collect the said Charges the Name and Sir Name of Such Person or Persons So coming into their Respective Wards or Township with the whole amount of the Goods Wares and Merchandizes so by them brought into Such Ward or Township and sworn or Affirmed as Aforesaid AND the Sum Such Person or Persons Shall be Rated at Which Sum or Sums of Money Such Collectors are hereby respectively Authorized and directed forthwith to Collect and pay the same unto the Treasurer of the Said City or Township respectively to be by him applied towards Paying the Necessary and Contingent charges of the said City or Township Respectively PROVIDED ALWAYS that none of the Persons before Mentioned Shall be liable to Pay towards the charges aforesaid any more or oftener than once within the Space of one Year anything herein to the contrary Notwithstanding

AND be It Enacted by the Authority Aforesaid that every Person and Persons who Shall come to inhabit or Reside in any of the Wards or Township Aforesaid in order to expose any Goods Wares and Merchandizes to Sale as aforesaid after the said Assessment made as Aforesaid and shall refuse Neglect or delay to Deliver to the assessors of Such Ward or Township when thereunto by them required a just and true account upon his or her Oath or Affirmation of the whole Amount or Value of all the Goods Wares and Merchandizes So by him or her brought into Such Ward or Township Shall forfeit and Pay to the Treasurer of the City or Treasurer of the Township respectively for the use of the Said City or Township respectively the Sum of Five Pounds Current Money of this Colony and If not paid within Six Days after demand made to be recovered

by Action of Debt Bill plaint or Informa'tion within any Court of Record within this Colony Wherein No Essoin Protection Wager of Law or more than one Impar lance shall be allowed

AND be It Enacted by the authority Aforesaid That every Person who shall hereafter be Chosen Assessors in the Said City or Township and shall Neglect or refuse to do what is required of them by this Act Shall forfeit and Pay the Sum of Five Pounds current money of this Colony to be Recovered Paid and Applied as Aforesaid.

' [CHAPTER 1000.]

[Chapter 1000 of Van Schaack, and chapter 70 (vol. 2) of Livingston & Smith, where the act is printed in full. Expired January 1, 1770. Provided for by chapter 1411.]

An Act to establish the Rates to be taken for Wharfage of Ships and other Vessels using the Wharfs therein mentioned and the Rates to be taken for Cranage within the City of New York and for Repealing the act therein Mentioned.

[Passed, February 19, 1756.]

WHEREAS it hath been found by experience that the Several Wharfs called Burnets Key the wharf between the great Slip and Coenties Dock and the wharf between the Smiths Fly Slip and Hurlings Slip All fronting to the East River or Harbour of the City of New York have been greatly Serviceable and very much Conduced to the ease benefit Increase and advantage of Trade and Navigation to and from the said City in the Lading and unlading of Ships and other Vessels And forasmuch as the owners and Proprietors thereof have been at a very great expence not only in the making Erecting and Building but also in Maintaining and keeping the same from time to time in good and Sufficient Repair to Answer the purposes Aforesaid and that the Same as well as all other Free Wharfs within the Said City tending to the advancement of Trade ought to meet with due and proper Incouragement for their Maintenance and Support AND WHEREAS the Laws heretofore made for establishing the Rates to be taken for the Wharfage of Ships and other Vessels using the said Wharfs have not so fully answered all the good purposes thereby intended in Securing to the Proprietors of the said Wharfs the free use and Enjoyment thereof

and of the profits that might and Ought to arise thereby in so beneficial a Manner as the same might be done nor hath any provision been heretofore made for settling and Establishing the Rates of Cranage within the said City AND WHEREAS the owners and Proprietors of one other free Wharf in Montgommery Ward of the said City also fronting the Said East River or Harbour of the said City extending in length from the Lot of Robert Livingston Esquire to the East end of the Lot of James Desbrosses as also the owners and Proprietors of one other Free Wharf between the Slips Called Rodmans Slip and Burlings Slip in the said Montgommery Ward by their Several Petitions presented to the General Assembly have humbly Prayed that they may be Intitled to the Same and the like fees for wharfage as any other Keys or Wharfs in the said City now are or may be Intitled to and have moreover prayed that the Rates for Cranage might be also Settled and established which being conceived Reasonable

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same that it Shall and may be Lawfull to and for the present owners AND Proprietors of the said Five before mentioned Several Wharfs or the owners or Proprietors thereof for the time being so far as the same do Front the East River to ask demand take and Receive to and for their Several and respective use and uses for all Ships and Vessels using or that shall use the same from and immediately After the Publication of this Act the Wharfage and Rates following that is to say for each Ship Brigantine Schooner or other Vessel of Sixty Tuns or upwards whilst Careening, Loading and unloading at either of the said Wharfs every Day the Sum of Six Shillings Current Money of this Colony For each such Vessel not Loading unloading or Careening but lying fast to either of the said Wharfs less than one Week After the Rate of Two Shillings for each Day For every Day more than a Week One shilling and six pence for each Day

BE IT FURTHER ENACTED That every Ship or other Vessel which at any time After the publication of this Act Shall only lie fast to any or either of the said Wharfs shall be obliged to move off from thence in order to Make Room for and Suffer any other Ship or Vessel to Load unload or Carven thereat and on Refusal or failure so to do after Notice and Request thereof to

the Master or Commander or to any one of the owner or owners of such Ship or other Vessel or either of them he or they shall pay for the use of the said Wharfs from the time of such notice and request the same and the like Rates as such Ship or Vessel could have paid which was really and bonafide intended to be Laden unloaded or Careened there.

BE IT FURTHER Enacted that all and every Ship or other Vessel that Shall make fast to any other ship or Vessel that is are or shall be fastned to any or either of the Wharfs aforesaid and shall continue so to lie fastned or shall so Load unload or Careen Shall be Subject and liable to pay and shall pay the one half part of the Rates that such Ship or other Vessel so fastned should and would have been lyable to pay in case she were fastned to any or either of the said Wharfs and there Loaded unloaded or Careened.

AND be it further Enacted by the authority Aforesaid that all Ships and other Vessels under the Burthen of sixty Tons and of Twenty five Tons and upwards Shall pay for lying fast and for Loading unloading and Careening one half part of the Rates for the purposes herein beforementioned and all Vessels under Twenty five Tons for lying fast or Loading unloading or Careening one fourth Part of the Rates for the purposes herein before mentioned.

AND be it further provided and Enacted that all Coasting Vessels lying fast at any or either of the said Wharfs and not being Actually Loading UNLOADING or Careening Shall on Request make loose and move off to Make Room for and suffer any sea Vessel or Vessels paying a higher Rate to come in her and their Place and places and that on Neglect or Refusal so to do the Master Commander or owner of every such Coasting Vessel or Vessels shall pay such Rate and Rates as the sea Vessel or Vessels would have been liable to pay which Really and bona fide was or were intended to be loaded unloaded or Careened there.

AND be it further Enacted by the authority Aforesaid that it shall and may be lawful to and for the Owner and owners Respectively of every Crane that now is or are or hereafter shall be Made Erected and Built on any or either of the wharfs aforesaid or on any part thereof fronting to the East River or Harbour of the said City to Ask demand take and receive to and for his her and their Several and Respective use and uses



from the Master Commander or owners of all Ships and other Vessels that Shall use or employ such Crane or Cranes the Rates following that is to Say For taking out and putting in the Mast of any Ship or other Vessel the Sum of Thirty Shillings For taking out or putting in the Mast of any ship or other Vessel the Sum of Twenty five Shillings Current Money Aforesaid

AND WHEREAS it may be difficult as well as inconvenient for the owners and Proprietors of the several Wharfs aforesaid Personally to Attend Collect and Receive the Rates due and to grow due for wharfage of Ships and other Vessels BE IT THEREFORE ENACTED by the Authority Aforesaid that it Shall and may be lawfull to and for the owners and Proprietors of the said Wharfs for the time being or the Major part of them Respectively from time to time to depute and appoint either one of their own Number or some other proper and fit Person to be the Wharfinger or Overseer thereof for and during their will and pleasure and shall and may at their like Will and Pleasure displace and Remove such person or Persons so to be Chosen and Appointed other and others in his and their Room and Stead when and as often as to them shall seem Meet to appoint And Such Person so to be appointed Wharfinger Shall while he continues in that office have the power of ordering and Regulating of the Wharf he shall be so Appointed for as aforesaid and of the Births of all Such Ships and other Vessels as Shall Load unload Carren or fasten to the same And moreover Shall have full power and Authority either in his own Name or in the Names of the owners and Proprietors of the said Wharfs to ask Sue for demand and receive the wharfage thereof as it Shall become due,

AND WHEREAS the Wharfs Aforementioned are often so Incumbered by Lumber Milstones or other Merchandize that by means thereof the Loading and unloading of Vessels is very much incommoded and the passing and Repassing of Carts and Carriages is very Much impeded retarded and hindered BE IT THEREFORE ENACTED by the Authority Aforesaid that if any or either of the said Wharfs Shall at anytime or times hereafter be so Incumbered as to Subject the same to any or either of those inconveniencies the Wharfinger of Such Wharf and Wharfs Respectively for the time being Shall either Personally Warn or by Notice in Writing to be left at the place of Residence of the owner or Owners of such Lumber or other

Goods their Factor or Factors require him or them to Remove the same from thence within a Reasonable time and if the same shall not be removed accordingly The Wharfinger is hereby Impowered to Remove the same and keep them in his Custody till the whole Charges attending the Removal be paid by the owner or Claimer of such Goods And in case the owner or Factor is not to be found the Wharfinger shall and may at his discretion remove the said Goods as before directed

PROVIDED also and be it Enacted by the same Authority that Nothing herein contained shall impair the Right which the Mayor Aldermen and Commonalty of the City of New York have to the Dock and the Several Slips herein before mentioned but the same shall be saved to them and their successors as fully as if this Act had not passed

AND BE IT Enacted by the Authority Aforesaid that the Act Entituled "An act to establish the Rates to be taken for Wharfage of Ships and other Vessels using the three Wharfs therein mentioned" And one other Act Entituled "An Act to Continue an act Entituled "An Act to Continue an act Entituled An Act to establish the Rates to be taken for Wharfage of Ships and other Vessels using the three Wharfs therein Mentioned" And every Clause and Article therein contained shall be and the same is and are hereby repealed Annulled and made void to all intents and purposes Whatsoever anything to the contrary hereof in any wise Notwithstanding

This act to be and Continue of force from and after the publication untill the First day of January which will be in the Year One thousand Seven hundred and Seventy

#### [CHAPTER 1001.]

[Chapter 1001. of Van Schaack, where the title only is printed. Chapter 10 vol 2) of Livingston & Smith, where the act is printed in full. Dated January 1, 1760. Provided for by chapter 1287.]

An Act for the better clearing mending  
and further laying out publick high Roads and  
others in the County of Ulster

[Passed, February 19, 1760.]

ALTHOUGH all or most of the publick Highways are already laid out and Ascertained in the County of Ulster it may Nevertheless be Necessary to lay out other High Roads in the Said County for the Conveniency of Carriage and Travellers:

BE IT THEREFORE Enacted by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same That the persons herein After Named Shall be and hereby are Appointed Commissioners to Regulate the Highways and lay out Such other publick Roads as may Still be Necessary with in the Said County of Ulster And they and each of them are hereby fully Authorized and impowered to put in Execution the Several Services intended by this Act in Such Towns and precincts only for which they shall be respectively Named and Appointed That is to Say

For the Township of the Corporation of Kingston Mr. Charles Broadhead Cornelius Van Beuren and Johannes Snyder junior

For the Township of Hurley Dirck Wynkoop Esquire Mr. Anthony Crespel and Mr. Matthias Laferer

For the Township of Marbletown Mr. Peter Cantline Captain Daniel Broadhead and Mr. Johannes De Witt

For the Township of Rochester Eghert De Witt Esquire Mr. Jacobus De Pue and Mr. Jacob Hoornbroeck

For the Township of the New Paltz and the Neighbourhood thereunto belonging Mr. Daniel Haasbroeck Mr. Abraham Dejo and Cornelius Du Bois Esquire

For the Precinct of Shawangonck Mr. Jacobus Bruyn Capt. Benjamin Smedes and Mr. Isaac Haasbroeck

For the Precinct of the Walkill Mr. Johannes Miller Cap't. Johannes Newkerck and Mr. Andrew Greames

For the Precinct of the Highlands Captain Thomas Ellison Capt. Jonathan Haasbroeck and Mr. Patrick McClaghry

For the Precinct of Mamekating Mr. Daniel Gonsalus Duke Mr. Peter Gienare and Mr. Phillip Swartwout

AND be it Enacted by the Authority Aforesaid That the Commissioners or the Major part of them in the Respective places for which they are Named and Appointed Commissioners are hereby impowered and Authorized to Regulate the ROADS already laid out and lay out Such other publick high Roads in the several places for which they are appointed Commissioners as to them or the Major part of them Shall Seem Necessary and Convenient And if Need be to take a Review of the Roads already laid out and Such of them as Shall Appear to be really inconvenient the Said Commissioners Shall and May Alter the Same PROVIDED all the Commissioners Appointed for the place judge it Absolutely Necessary And lay out Such other



publick Ways or Roads as they or the Major part of them shall think Most Convenient as Well for Travellers as for the Inhabitants of the Next Adjacent Towns Precincts Villages or Neighbourhoods PROVIDED That nothing in this Act contained shall extend or be Construed to impower the Commissioners aforesaid to aker any Road that is already Commodious Nor to lay out any Roads thro' inclosed or improved Lands without consent of the owner or owners thereof or paying to them the true Value of the Lands so laid into an Highway And if any dispute Shall Arise by that Means the Same Shall be determined and the true Value set and Appraised by two Justices of the Peace and by the Oaths of Six of the principal Freeholders of the Neighbourhood Not having any Interest in the Lands About Which Such dispute may Arise The Said Freeholders to be summoned by the Constable of the Town Manor or Precinct where Such dispute Shall Arise by Virtue of a Warrant to be issued by the said Two Justices for that purpose And if said Roads by the Commissioners So laid out Shall be publick Roads and of publick and General Benefit then the value of Such Cleared and improved Lands through Which the Said Roads shall be laid out Shall be a publick County Charge and the Supervizors of said County are hereby directed to Allow the same together with the Charges of Calling a Jury their Verdict and the whole proceedings thereon had But if Roads So laid out Shall be Private Roads and for the particular Conveniency of one or more Districts Township or Neighbourhood Then Such private Persons Townships Districts or Neighbourhoods requiring the Same Shall defray the whole Charge of the Value of the said Cleared or improved Lands to be paid to the person or Persons Injured And through whose cleared Lands a private Road shall be laid together with the Wages of the Commissioners the Charge of Calling the Jury and of their Verdict and of the Whole proceedings thereon had.

AND BE IT further Enacted by the same Authority That if any Person or Persons within the Said County do or hereafter shall without the Consent of the Commissioners or the Major Part of them for the Town or Place for which they are by this Act appointed Commissioners Alter Stop up or lessen any Highway or Road that has been heretofore laid out by former Commissioners according to Law or shall hereafter be laid out by the Commissioners Named in this Act Such person or Persons So Offending contrary to the Meaning of this Act shall for every

such OFFENCE forfeit the Sum of Forty Shillings to be Recovered before any Justice of the peace upon the Oath of any one Witness and levied by Warrant from any Justice of the peace directed to the Constable of the Town or place where such offence is Committed by distraining the Goods and Chattles of the Offenders And the said Constable After Six Days Publick Notice is given by him of Selling the Said distress Shall make Sale thereof and out of the produce pay the Said Forfeiture and Charges and Return the Overplus if any there be to the Owner or Owners which Said forfeiture of Forty Shillings Shall be applied by the Surveyor of the Highways for and towards Repairing the publick Roads and Bridges within the Town or Precinct where Such Forfeiture Shall Arise.

AND be it Enacted by the Same Authority that all publick Roads that Shall be laid out by the Commissioners Shall be of the Breadth of Four Rods except through Meadow or Improved Lands

AND be it further Enacted by the Authority Aforesaid That if any Common publick Road or Highway Shall be laid through any meadows improved Ground or Cornfields the Breadth of the Said Road Shall be left to the discretion of the Commissioners or the Major part of them for the Town or Precinct where Such Road Shall run as Aforesaid PROVIDED The Breadth of such Road shall Not exceed twenty feet

AND be it further Enacted by the said Authority that the Inhabitants of the Respective Towns or Precincts by and through which any common publick Highways or Roads have or Shall Run or be hereafter Ascertained or laid out Shall be and hereby are obliged to Clear and Maintain the Same by Cutting and Stubbing up the Brush and lopping off the Limbs of the Trees that hang over the Said Roads the Breadth of Two Rods and pulling up the Stones that can be Moved and to Carry them out of the Roads at least the breadth of one Rod And So often as they or any of them Shall have Notice from any of the Respective Commissioners Surveyors or Overseers of the Highways for the time being they shall in their Turns either by themselves or by Able Slaves or Servants Clear level and Amend the Highways not exceeding Six Days in the Year under the penalty of three Shillings for each Day every Person or Persons Shall Neglect or Refuse Such Service to be levied by the Constable in each Town or Precinct by distress and Sale of such Offenders Goods and Chattles by Warrant from the Overseers

or surveyors of the Highways for the time being in each Respective Town or Precinct where such Offence shall be committed returning the Overplus of such sale (if any be) to the Owner or Owners the Constable being first paid for his pains and Trouble out of the DISTRESS and Sale as is usual in other cases PROVIDED that nothing in this Act Contained Shall be Construed to Impower the Respective Commissioners Surveyors or Overseers of the Highways for the time being during the Continuance of this Act to Compell the Inhabitants of the Towns and Precincts through which part of a Road is laid out by Virtue of an Act of Assembly Entituled "An Act for the better perfecting and Completing a publick Common Highway through the County of Ulster" passed in the Second Year of his Majesties Reign That is to Say From Juffrouws Hook So on to the Northward as far as the Roundout-Creek or common Landing otherwise than Making that part of the Said Road fit for Travellers on Horseback and Marking the Trees where Necessary

PROVIDED ALWAYS and it is hereby further Enacted by the Authority Aforesaid That all Trees Standing or lying in any Persons Land, through which any common publick Highway or Road is or Shall be laid out be for the proper use of the Owner or Owners of the Same But the owners Shall Not hinder the Surveyor or Surveyors of the High Ways from Making use of so much Timber Standing or lying on that Road as will Amend the said Highway or Bridges leading through that Land

AND be it further Enacted by the authority aforesaid That if the Overseers of the Highways and Roads Shall think fit and have occasion of any Team Cart or Waggon and a man to manage the Same The Said Team Cart or Waggon Shall be esteemed to be for in lieu and instead of Two Days Work of One Man and the Fine to be proportionable That is double to the Fine to be imposed for the Neglect of one Person And every Working Man Shall be obliged to bring Such Tools as Spades Axes Crow Pick Axes or other Utensils as Shall be directed by the overseers of the Highways.

AND be it further Enacted by the Said Authority That if any of the Commissioners herein Appointed Shall Neglect Refuse or delay to put the Several Clauses in Execution which are Mentioned and expressed as their Duty in this Act if thereunto required or Shall happen to Die Remove out of the Town or Precinct for which he or they is or are appointed Commissioners

it shall and May then be lawfull for the Freeholders and Inhabitants of any Such Town or Precinct where it may happen to Chuse and Elect at their annual Election by plurality of Voices in his or their Stead another Commissioner or Commissioners in Such place or places where Such Refusal Neglect Death or Removal Shall So happen and the Name or Names Shall be Transmitted by the Constable of Such Town or Precinct Where it Shall so happen to the Clerk of the Peace for SAID County And the Commissioner or Commissioners So Elected Shall be under the same Restrictions and have the same powers and Authority's as those Named and Appointed by this Act.

AND be it Enacted by the Authority Aforesaid That the Commissioners of each Respective Town or Precinct for which they are Respectively Appointed Shall from time to time during the Continuance of this Act enter in Writing all highways or Roads by them laid out Altered or Stopp'd up and Sign the Same by putting their Names thereto and cause the Same to be entered in the County Record by the Clerk of the Peace who is hereby directed and Required to Record the same And whatsoever the said Commissioners shall do according to the powers given them by this Act being so entered in the County Records Shall be deemed Valid and good to all Intents and purposes Whatsoever

AND be it Enacted by the Authority Aforesaid That each Commissioner appointed or hereafter to be Elected by Virtue of this Act Shall have and Receive a Sum not exceeding Six Shillings each Day as a Reward for his or their care and trouble in laying out or Regulating the Highways in the Respective Towns or Precincts for which they are Severally appointed

AND be It Enacted by the same Authority That upon the ordering of any one or more of the Justices of the Peace or any one or more of the Commissioners within the Town or Precinct for which he or they are appointed as Aforesaid The Surveyor or surveyors of the Town or Precinct Shall within Four Days thereafter Warn and set to work the Respective Inhabitants to mend and Repair the Kings Roads and Bridges which by Law and custom they are obliged to repair And if any of the surveyors shall Neglect or Refuse to Warn and Set to Work the Inhabitants as Aforesaid and See the said Roads Bridges and Highways Amended and Repaired Such Surveyor or Surveyors shall for every Such Neglect or Refusal forfeit and pay a fine

of Forty Shillings to be adjudged by and Recovered before any one of his Majesties Justices of the Peace for Said County upon the Oath of any one Witness or on the View of any one of the Commissioners within his or their District in the common and Usual Method Which Fine Shall be applied towards repairing the said Highways in Such Town or Precinct wherein the Same did arise

AND be it further Enacted by the Authority Aforesaid Thatt all Waggones which Shall be used in any of the Highways in the County of Ulster Shall be so made that the Space between the Rut of Track which they Shall Make Shall be from the Outside of the one Wheel to the outside of the other Wheel (And the SAID Wheels must Stand Abreast on the Axel Tree four foot and Ten Inches English Measure and no more or less upon penalty of Twenty shillings Current Money of this Colony to be recovered before any of his Majesties Justices of the peace where the Fact Shall happen to be committed at the Suit and to the Profit of him or them that Shall Inform and Sue for the Same PROVIDED That all Persons Subjected by this Act to any of the penalty's or Forfeitures on default therein mentioned shall be legally Summoned to appear and be heard before Judgement given

PROVIDED ALWAYS and it is hereby further Enacted by the Authority Aforesaid That where the Inhabitants of a Small Neighbourhood or Plantation Shall desire to have a publick Road laid out the Commissioners Aforesaid shall not be allowed to lay out such and so many Rouds as the Said Inhabitants may be desirous to have but only one publick Way leading from such Neighbourhood or Plantation to the nearest Publick Way or Landing Place from Whence they can travel or transport Goods to other Towns or Landing places And Where it Shall be Necessary to lay out a Road from one District as they are in this Act joined to another District The Commissioners of both Towns or Precincts or places are to Meet together and Consult Where such Road can be laid in the best and Streightest Manner and to lay out the same accordingly to the end such Roads may Not only Correspond with each other but be laid out and Carried on in the most Convenient and shortest Manner the nature of the Land will Allow.

AND be it further Enacted by the Same Authority That it Shall and may be Lawfull for any person or Persons to hang



good easy Swinging Gates in the Said County on Such high Roads and private Ways as the Commissioners or the greater Number of them Shall think fitting Such Person or Persons Keeping the same in good and Sufficient Repair at their own Costs and Charges.

AND be it further Enacted by the Authority Aforesaid That the Commissioners appointed by Virtue of this Act for the Township of the New Paltz are hereby fully Impowered to take a Review of the swinging Gates on the publick Roads that lead through any of the improved Lands or Cornfields of the Freeholders and Inhabitants of said Township of the New Paltz And if the Said Commissioners or the Major part of them shall judge it Necessary to Remove any or all the said Gates to any other place or places on the Said Roads Where the said Gates may be more Conveniently placed as well for Travellers as for the Making of their Circular Fences the Said Commissioners are hereby Impowered and Authorized to Remove the same Accordingly And if any person or Persons that at any time during THE Continuance of this Act pass or Repass through any Swinging Gate or Gates that Shall be allowed by the said Commissioners and shall not shut the Same Shall for every Such Neglect or offence forfeit the Sum of Twenty Shillings to be recovered before any one of his Majesties Justices of the Peace for Said County in the Same Manner as other fines are directed to be Recovered by this Act.

AND be it Enacted by the Authority Aforesaid that this Act shall be and Remain of Force from the first Day of January One thousand Seven hundred and fifty Six to the first Day of January One thousand Seven hundred and Sixty Six

#### [CHAPTER 1002.]

[Chapter 1002, of Van Schaack, and chapter 81 (vol. 2) of Livingston & Smith, where the act is printed in full. The act repeated is chapter 751.]

An Act to enable the Inhabitants of Ulster County to Elect and Chuse Surveyors of the Highways in the said County and to Repeal a certain Section of an Act therein Mentioned

[Passed, February 19, 1756.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the

authority of the same That the Freeholders and Inhabitants of each Respective Town Precinct or Division within the County of Ulster Shall be and hereby are authorized and impowered at their Annual Meetings for Electing Town officers to Chuse and Elect at the same time So many Persons to be Surveyors of the Highways in each Respective Town Precinct or Division as the Majority of the Freeholders and Inhabitants of each Respective Town Precinct or Division of the said County then Met shall judge Necessary for the Overseeing Mending and Keeping in Repair the several highways in the Respective Towns Precincts or Divisions for which they Shall be Elected and Chosen in Manner Aforesaid

AND be it further Enacted by the Authority Aforesaid that if any dispute shall Arise between the Respective Surveyors Aforesaid concerning which Highway or part of any Highway they or any of them are to Mend and keep in Repair and how many Men they are to direct to amend or Repair any such Highway or part thereof the same shall be determined by the Commissioners appointed by Law to lay out High Ways in each respective Town Precinct or Division in the County aforesaid and by two Justices of the Peace living in the Next Town Precinct or Division where the dispute Shall happen who are hereby impowered and directed to determine the same and to give or Issue an order under their hands and Seals to the Surveyor or Surveyors of their respective Towns Precincts or Divisions which Highway or part thereof he or they shall Amend and Repair together with the number of Persons Such Surveyor or Surveyors of the High Ways are to direct for keeping such Highway or part thereof in Repair

AND be it Enacted by the authority Aforesaid that the seventeenth or last Section of one Certain Act Entituled "An Act to divide the Southern part of the County of Ulster into Precincts and to enable the Corporation of Kingston and the Manor of Foxhall to chuse and Elect one Supervizor more and for Regulating the Supervizors and Assessors within the said County" Passed in the Seventeenth Year of his Majesties Reign Shall be and hereby is Repealed and every Matter and thing in the said Section contained rendered void and of None effect

## [CHAPTER 1003.]

[Chapter 1003. of Van Schaack. and chapter 82 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 36 and 146. The act recited as passed in the fifth year of William and Mary was enacted in the sixth year of that reign. The time for collectors to pay in the taxes is increased by chapter 1338

An Act for the further Explaining and rendering more effectual the two Act therein Mentioned So far as they relate to the City of New York

[Passed, February 19, 1756.]

WHEREAS in and by an Act made and passed in the fifth Year of the Reign of King William and Queen Mary Entituled "An Act for Settling a Ministry and raising a Maintenance for them in the City of New York County of Richmond Westchester and Queens County " It is provided and Enacted Among other things that a Roll of the Tax to be raised for the Purposes in the Said recited Act Mentioned Shall be delivered into the hands of the Respective Constables of the Said City Counties Parishes and Precincts therein mentioned and Signed by any two Justices of the Peace impowering him or them to Levy the said Tax and upon refusing to distraint and sell by Publick outcry and Pay the same into the hands of the Church Wardens And it is therein and thereby further provided and Enacted that if the said Constables or any of them fail of their Duty herein they Shall respectively forfeit Five Pounds Current Money of New York AND WHEREAS in and by Another Act made and passed in the fourth Year of the Reign of Queen Anne Intituled "An Act for the better explaining and More Effectually putting in Execution an Act of the General Assembly Entituled An "Act for Settling a Ministry and Raising a Maintenance for them " in the City of New York County of Richmond Westchester and "Queens County" It is Enacted that all and Singular the Fines Penalties and Forfeitures mentioned in the same Act shall be recovered before any of his Majesties Justices of the Peace for the respective Counties for the time being Where such penalties Shall be incurred Notwithstanding which no particular Provision is made nor power given or Method prescribed in case where the Constables having had the Tax Roll delivered unto them and have been Remiss in Collecting or having Collected

the same have refused or delayed to pay the Monies by them Collected into the hands of the Church Wardens as by the first above Recited Act is directed IN order therefore the more effectually to prevent the Neglect or Remissness in Constables for the future in the City of New York and to Compell them to Collect and Pay such Sum and Sums of Money as Shall hereafter be laid and assessed on the said City and County for the uses Ends and purposes in the Aforesaid Recited Acts or either of them Mentioned and expressed

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the authority of the Same That if any Constable or Constables of the said City and County of New York to whom the Roll for Collecting the Taxes in Virtue of the above Recited Acts or either of them SHALL not Collect or having Collected the Monies in such Roll or Rolls Assessed or Set down and Shall Neglect refuse or delay to Pay the amount or Total Sum in Such Roll or Rolls mentioned except retaining in his or their hands so much Money as in the above Recited Act or Acts for his and their Collecting Receiving and Paying is Allowed and Also so much as by a Committee of the Justices and Vestrymen Shall be Allowed for Poor and Insolvent Debtors and that on or before the Twenty fifth day of March Next Ensuing the Publication hereof and so on or before every Twenty fifth day of March for ever hereafter Then and in either of such Case it shall and may be Lawfull and the Church Wardens of the City and County of New York aforesaid are hereby Strictly Commaunded and Required to Apply to the Mayor or Recorder and one or More Aldermen Who are hereby respectively Authorized and Impowered in a summary Way to hear Try and determine the Same and Upon Conviction the sum so unpaid by such Constable or Constables respectively shall be raised and levied on the Goods and Chattles of the offender or offenders by Warrant under the hands and Seals of the Magistrates before whom Such offender or offenders Shall be Convicted and if no goods or Chattles Shall be found on which to destrain it Shall and may be Lawfull to the Magistrates who heard and determined the Cause to Commit the offender or offenders to the Common Goal without Bail or Mainprize there to remain untill the Sum of money found to be in arrear by the Magistrates before whom the Tryal and Conviction was had together with the Costs Attending the Same

be paid and Satisfied and the Said Magistrates Shall be and hereby are fully impowered directed and Required to hear Try and determine these Matters in the Manner Aforesaid and to give Judgment and if need be to Award Execution thereon and to Issue a Warrant or Warrants for Commitment of Such Offender or Offenders as the Case may require Which Sum or Sums of Money So to be recovered by Virtue hereof Shall be paid into the hands of the Church Warden of the said City and County of New York to be by them Applied and disposed as in the Several Acts Above recited or other acts respecting the Maintenance of the Minister and Poor are directed and required Any thing in Any Act or Acts touching the Settling a Ministry or Maintaining the Poor to the Contrary hereof in anywise Notwithstanding

[CHAPTER 1004.]

[Chapter 1004, of Van Schaack, and chapter 83 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act to impower the Freeholders and Inhabitants of Richmond County to Raise by way of Lottery a Sum not exceeding the Sum of One hundred and Fifty Pounds to Purchase Arms and Accoutrements for the use of such Persons in the said County as are unable to provide themselves therewith.

[Passed, February 19, 1758.]

WHEREAS the Inhabitants of Richmond County by their humble Petition preferred to the General Assembly Setting forth the inability of Numbers of them to Provide themselves with Arms and Accoutrements according to Law Whereby they are not only liable to Such Fines as the Law in that case directs but also unable in case of Emergency to make a proper defence have therefore prayed to have leave to raise by way of Lottery a Sum not exceeding the sum of One hundred and fifty Pounds to purchase arms and Accoutrements for the use of Such as are unable to Provide themselves therewith

BE IT THEREFORE Enacted by his Excellency the Governor the Council and the General Assembly and It is hereby Enacted by the Authority of the same That it shall and may be Lawfull to and for the Freeholders and Inhabitants of Richmond County and they are hereby permitted and allowed to Raise by way of



Lottery a Sum not exceeding the sum of One hundred and fifty Pounds for purchasing Arms and Accoutrements for the use of Such of the INHABITANTS within the said County as are unable to provide themselves therewith according to Law and for no other use or purpose Whatsoever Any thing Contained in one Act of this Colony Entituled "An Act to prevent Private Lottery's in this Colony" Passed in the Twenty first year of his Majesties Reign to the Contrary Notwithstanding.

## [CHAPTER 1005.]

[Chapter 1003, of Van Schaack, and chapter 84 (vol. 2) of Livingston & Smith, where the act is printed in full. Continued by chapters 1107 and 1251. Amended and the reward increased by chapter 1503.]

An Act to encourage the taking and destroying of Wild Cats in the County of Suffolk.

[Passed, February 19, 1754.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That from and after the Publication of this Act Whatever Person or Persons Freeman or Slave Shall take Kill and destroy any Wildcat or Wildcats their Catling or Catlings in the County of Suffolk Shall have and receive as a reward for each Wild Cat so taken killed and destroyed the Sum of Eight Shillings And for every such Catling under a Year old so taken killed and destroyed the sum of Four Shillings Current money of this Colony.

AND to the end the Reward Abovementioned may be truly paid and discharged BE IT ENACTED by the authority Aforesaid That the Person or Persons taking killing and destroying any Wild Cat or Wild Cats their Catling or Catlings in the County Aforesaid and Carrying the head or heads thereof with the entire Skin thereon to any one Justice of the Peace of the said County (who upon view thereof and Examination of the Party and Circumstances finding the same to have been taken killed and destroyed in the County Aforesaid) is hereby obliged thereupon to give a Certificate thereof Gratis and to Mention therein the name or names of the Person or Persons that had so taken Killed and destroyed Such Wild Cat or Wild Cats Catling or Catlings the time when and to distinguish which are full grown and which are under the age of one year After which

the Ears of Such Wild Cat or Wild Cats Catling or Catlings So Certified are to be cut off in the presence of the said Justice and Such Certificate being produced to the Supervisors of the said County the said Supervisors Shall and hereby are obliged at their Annual Meetings to order the Treasurer of the said County to Pay unto the party or Party's So producing such Certificate or to his or their assigns the reward allowed and established by this Act And the said Reward shall be deemed a County Charge and raised levied assessed and Collected together with the other Necessary and Contingent Charges of the County Aforesaid. This act to Continue remain and be of Force untill the First day of January which will be in the Year of our Lord One thousand Seven hundred and Sixty

[CHAPTER 1006.]

[Chapter 1006, of Van Schaek, and chapter 83 (vol 2) of Livingston & Smith, where the title only is printed. See chapter 664. Expired January 1, 1790. Provided for by chapter 1100.]

An Act to Revive an Act Entituled An Act to prevent Damages by swine in the County of Orange and Some parts of Ulster County and for Repealing all other Acts concerning the Same within the Said County of Orange with some Addition

[Passed, February 10, 1756]

WHEREAS an act Entituled "AN Act to prevent Damages by Swine in the County of Orange and some parts of Ulster County and for Repealing all other Acts concerning the same within the Said County of Orange" Passed in the Eleventh Year of his Majesties Reign was by a Subsequent Act continued to the first day of November last and no longer, And the Said Act by Experience having been found to be very beneficial to the said Counties,

BE IT THEREFORE Enacted by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same That the Above Mentioned Act Entituled "An Act to prevent damages by Swine in the County of Orange and Some parts of Ulster County and for Repealing all other Acts concerning the Same within the said County of Orange" Shall be and hereby is Revived and every Article

Matter and Clause therein contained Enacted to be and remain in full force from the publication hereof until the first day of January One thousand Seven hundred and Sixty.

AND be it further Enacted by the Authority Aforesaid That the Owner or Owners of Every Swine Above twelve months old which Shall be Impounded shall pay exclusive of the damages the sum of Three Shillings and for every Swine above Six Months old and under Twelve the Sum of Two Shillings And for every Swine under the Age of six Months the Sum of One Shilling Any thing in the before mentioned Act to the Contrary, hereof Notwithstanding.

[CHAPTER 1007.]

(Chapter 1007. of Van Schnack, and chapter 96 (vol. 2) of Livingston & Smith, where the act is printed in full)

An Act to Enable the Proprietors or owners of that part of the great plains in Queens County which lies within the Townships of Hempstead and Oysterbay and is used as a common of Pasture to hang Swinging Gates on the highways running thro' the Said Plains and to establish Prudential orders and Rules with respect to the Management of the said Common.

[Passed, February 19, 1754.]

WHEREAS the Proprietors or owners of that part of the Great Plains in Queens County which lies within the Townships of Hempstead and Oysterbay have by their humble Petition Set Forth that the Said Plain is used by them as a Common Pasture That the Said Common lying open and not inclosed great Numbers of Cattle of all Kinds from the Neighbouring Towns and Plantations having no right therein do enter and Graze on the said Common to the great damage of the Proprietors or owners thereof That for preventing Such Injury for the future they propose to inclose the Said Common in a Circular Fence but that Several HighWays running thro' the Said Common which is of large extent they cannot inclose the same without a very great expence unless they may be permitted to hang easy Swinging Gates on the Said Highways And have therefore humbly prayed that they may be Enabled by an Act to hang Swinging

Gates on the Said Highways and to make prudential Orders and Rules for the Management of the Said Common Which Petition being conceived highly reasonable

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same That the Proprietors or Owners of that part of the Great plains in Queens County Which lies within the Townships of Hempstead and Oysterbay Shall be and hereby are permitted and allowed to hang Good easy Swinging Gates on the Highways running thro' the Said Plains Always provided that no more than three Gates Shall be placed on the Highway or Road that is now commonly used thro' the Said Plain from the House of Gilbert Clements at the West end of the Said Plain to and along by the House of Jonas Valentine at the East end of the said Plain and PROVIDED that the Said three Gates and all other Gates Placed on any other Highway Running thro' the Said Plain be left open from the first day of November to the first Day of April Yearly Any thing in any of the Acts of this Colony to the Contrary Notwithstanding

AND be it further Enacted by the authority aforesaid that where any Person or Persons have already inclosed their Shares or part thereof of the SAID Plain in a Particular Inclosure for their Sole benefit they Shall make and maintain the whole Fence of Such Particular Inclosure at their own Expence.

AND be it further Enacted by the Authority Aforesaid that where the Watering places to which the Cattle feeding on the Said Plain do usually Resort lie at Some Small distance from the Said Plains it Shall and may be lawfull for the Proprietors or owners of the Said Plains to place their Gates in Such Manner as that the Cattle feeding on the Said Plains may go to and Return from the Said Watering Places without any Obstruction

AND be it further Enacted by the authority Aforesaid That the Proprietors or Owners of the aforesaid Plains Shall be and hereby are enabled and impowered respectively to make Such prudential orders Rules and Regulations for the Management of the Said Common and to impose Such Penalty's on the offenders against the Said Orders Rules and Regulations not exceeding Twenty Shillings for each offence as the Majority of the Said Proprietors or owners respectively Shall from time to time judge necessary Which Said orders Rules and Regulations being Entered in Books to be provided by the Said Proprietors or Owners respectively and lodged in the hands of their

respective Clerks Shall be good and Valid to all Intents Constructions and Purposes untill they shall be altered or declared Void by the Majority of the Said Proprietors or owners respectively any thing in any of the Acts of this Colony to the Contrary Notwithstanding

AND be it further Enacted by the authority Aforesaid That the Proprietors or owners of the said Plains respectively Shall be and hereby are enabled and impowered by Majority of Voices to Elect and make Choice of one or more Person or Persons to demand Sue for and receive all the penalty's and Forfeitures which shall be incurred by the breach of the Said Orders Rules and Regulations Which Said penalties and Forfeitures So recovered Shall be applied to Such uses as the Majority of the Said Proprietors or Owners respectively Shall order and direct.

[CHAPTER 1009.]

[Chapter 1009 of Van Schaack where the title only is printed. Chapter 67 (vol. 2) of Livingston & Smith, where the latter portion of the act is printed.]

An Act for the payment of the Debts due  
from this Colony and other purposes therein  
Mentioned

[Passed, April 1, 1756.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the authority of the Same that the Treasurer of this Colony Shall pay and he is hereby directed out of the Interest money arisen by Virtue of an Act Entituled "An Act for Emitting Bills of Credit for the payment of the Debts and for the better Support of the Government of this Colony and other purposes therein mentioned" passed in the Eleventh Year of his Majesties Reign And out of the moneys arisen by the Duties and Impositions granted by an Act Entituled "An Act for granting to his Majesty the Several duties and impositions on goods Wares and Merchandizes imported into this Colony therein Mentioned" And out of the monies Arisen by Virtue of an Act Entituled "An Act to Restraine Hawkers and Pedlars within this Colony from Selling without Licence" To pay the Several allowances following in the manner herein After directed, that is to Say

To the Honourable George Clinton Esquire late Governor of



this Colony for what is Still due to him from this Colony the Sum of One hundred and Seventy one Pounds

To the Honourable James De Lancey Esquire Lieutenant Governor of this Colony for his Services done this Colony from the first day of September one thousand Seven hundred and fifty three to the Second day of September One thousand Seven hundred and fifty five inclusive the Sum of three thousand Seven hundred Eighty Seven pounds and Sixteen Shillings.

To John Chambers Esquire for his Services done this Colony from the first day of September One thousand Seven hundred and fifty three to the first day of September One thousand Seven hundred and fifty five the sum of Four hundred Pounds.

To Daniel Horsmanden Esquire for his Services done this Colony from the Twenty Eighth Day of July One thousand Seven hundred and fifty three to the first Day of September One thousand Seven hundred and fifty five the Sum of Two hundred and Nine pounds twelve shillings

To John Van Rensselaer for providing Fire wood and Candles for the several Garrisons in the City and County of Albany from the first day of September One thousand Seven hundred and fifty three to the first day of September One thousand Seven hundred and fifty five the sum of Five hundred and Fifty Pounds

To Arent Stevens for his services Done this Colony from the first day of September One thousand Seven hundred and fifty three to the first day of September One thousand Seven hundred and fifty five the sum of one hundred and Eighty Pounds.

To George Clarke junior Esquire for his Services done this Colony from the first Day of September One thousand Seven hundred and fifty three to the first day of September One thousand Seven hundred and fifty five the sum of Sixty Pounds

To Goldsbrow Banyer for his Services done this Colony from the first day of September One thousand Seven hundred and fifty three to the first day of September One thousand Seven hundred and fifty five the sum of sixty Pounds

To Robert Young for his Services done this Colony from the first day of September One thousand Seven hundred and fifty three to the first day of September One thousand Seven hundred and fifty five the sum of Forty Pounds

To James Parker for his Services done this Colony from the first day of September One thousand Seven hundred and Fifty

three to the first day of September One thousand Seven hundred and fifty five the sum of One hundred Pounds

To John Kip for his Services done this Colony from the first day of September One thousand Seven hundred and fifty three to the first day of September one thousand Seven hundred and fifty five the sum of Sixty Pounds.

To Lawrence Roome for his Services done this Colony from the first day of September One thousand Seven hundred and fifty three to the first day of September One thousand Seven hundred and fifty five the Sum of Sixty Pounds

To Captain John Waldron for his Services done this Colony from the first day of September One thousand Seven hundred and fifty three to the first day of September one thousand Seven hundred and fifty five the sum of Forty Pounds

To Robert Charles Esquire for his Services Done this Colony from the first day of September One thousand Seven hundred and fifty three to the first day of September One thousand Seven hundred and fifty five the Sum of Four hundred Pounds.

To Abraham Lott junior for his Services done this Colony from the first day of September One thousand Seven hundred and fifty three to the first day of September One thousand Seven hundred and fifty five the sum of One hundred and forty Seven Pounds Twelve Shillings

To Alexander Lamb for his Services done this Colony from the first day of September One thousand Seven hundred and fifty three to the first day of September One thousand Seven hundred and fifty five the sum of Sixty two Pounds and fifteen Shillings

To Abraham De Peyster Esquire for his Services done this Colony from the first day of September One thousand Seven hundred and fifty three to the first day of September One thousand Seven hundred and fifty five the sum of Five hundred Pounds

To the late Commissioners of Indian Affairs at Albany for money by them advanced for the Service of this Colony and in discharge of their General account the Sum of ONE hundred Thirty Eight pounds Sixteen Shillings and three pence half penny.

To Arent Stevens Indian Interpreter for the Extraordinary expenses that he has been put to for Entertaining Indians at Schenectady at his House in their way and return from the

Commissioners of Indian Affairs at Albany the Sum of Twenty pounds

AND be it further Enacted by the Authority Aforesaid That for and towards Paying and discharging the Several Allowances herein After mentioned there Shall be assessed raised and levied the Sum of Ten thousand Pounds upon the Estates Real and personal of all and every the Freeholders Inhabitants and Residents within this Colony And Shall be Collected and paid in manner following that is to Say The Sum of One thousand and four hundred pounds on or before the first Tuesday in November Next The Sum of One thousand and four hundred pounds on or before the first Tuesday in November which will be in the Year One thousand Seven hundred and fifty Seven The Sum of One thousand and four hundred Pounds on or before the first Tuesday in November which will be in the Year One thousand Seven hundred and Fifty Eight The Sum of one thousand and four hundred Pounds on or before the first Tuesday in November which will be in the Year One thousand Seven hundred and Fifty Nine And The Sum of One thousand and four hundred Pounds on or before the first Tuesday in November which will be in the Year One thousand Seven hundred and Sixty And the sum of Three thousand pounds on or before the first Tuesday in November which will be in the Year One thousand Seven hundred and Sixty one Which Said Sum of One thousand and four hundred Pounds hereby Appointed to be Annually Paid on the days and times before mentioned Shall be yearly raised leyed and paid by the Freeholders Inhabitants and Residents in the several and Respective City's and County's within this Colony during the five Years beforementioned according to the Quota's and proportions following that is to Say

In the City and County of New York the Sum of Four hundred Sixty Six pounds Twelve Shillings and five pence Yearly and every Year during the Said Five Years.

In the City and County of Albany the Sum of Two hundred Thirty three pounds Six Shillings and three pence Yearly and every Year during the said Five Years

In Kings County the sum of Sixty Pounds Six Shillings and Nine pence Yearly and every Year during the Said five Years

In Queens County the Sum of One hundred twenty four Pounds Seventeen Shillings Yearly and every Year during the the said Five Years

In Suffolk County the sum of one hundred and Seven Pounds Seven Shillings Yearly and every Year during the said five Years.

In Richmond County the Sum of Thirty Seven pounds Eighteen Shillings and Seven pence Yearly and every Year during the said five Years

IN Westchester County the sum of One hundred Twenty four pounds Seventeen Shillings and Seven pence Yearly and every Year during the said five Years.

In Ulster County the sum of one hundred and Seven pounds Seven Shillings and Seven pence Yearly and every Year during the said Five Years.

In Dutchess County the sum of Ninety Nine Pounds Sixteen Shillings and Six Pence Yearly and every Year during the said Five Years

And In Orange County the Sum of Thirty Seven pounds Ten Shillings and four pence Yearly and every year during the said Five Years.

And Which Said Sum of three thousand Pounds hereby appointed to be paid on the Day and time before mentioned Shall be raised levied and paid by the Freeholders Inhabitants and Residents in the Several and Respective City's and County's within this Colony in the Year One thousand seven hundred and Sixty one Aforesaid According to the Quota's and proportions following that is to Say

In the City & County of New York the Sum of One thousand pounds

In the City and County of Albany the Sum of Five hundred Pounds

In Kings County the sum of One hundred and Twenty Nine pounds Nine shillings.

In Queens County the Sum of Two hundred Sixty Seven pounds Ten shillings.

In Suffolk County the Sum of Two hundred and Thirty Pounds

In Richmond County the sum of Eighty one Pounds Six shillings

In Westchester County the sum of Two hundred Sixty Seven pounds Ten Shillings

In Ulster County the Sum of Two hundred and Thirty Pounds

In Dutchess County the Sum of Two hundred and Thirteen pounds Eighteen Shillings

And In Orange County the Sum of Eighty Pounds Seven Shillings.

AND to the End the full Sum intended to be raised by this Act may be effective and Compleat BE IT ENACTED by the Authority Aforesaid That over and above the Several Quota's abovementioned there shall be raised assessed leyed and Collected the Respective Sums following that is to Say on the Quota for the City and County of New York the Sum of Nine pence over and above every Pound to be retained in the hands of the Several Collectors as a Reward for their trouble in Collecting and paying the same to the Treasurer of this Colony And on the Quota's for the City and County of Albany and all the other County's in this Colony the Sum of One shilling over and Above every pound out of which the several Collectors may retain in their hands the sum of Nine pence on each pound for Collecting and paying the same to the Several County Treasurers And the remaining three pence the County Treasurers respectively may retain in their hands as a Reward for their trouble and Service in receiving and paying the monies arising by this Act to the Treasurer of this Colony.

AND to the end the assessments may be made in such Convenient time by the assessors that the sums intended to be raised by this Act may be Collected and paid at the times herein After mentioned and Appointed and that assessments may be truly equally and impartially made as of Right they Ought to be BE IT ENACTED by the Authority Aforesaid that the Mayor or Recorder and Aldermen of the City & County of New York or the greater part of them for the time being shall Meet and Assemble at the City Hall of the said City on the first Tuesday in June in every Year during the Said Six Years and then and there issue their Warrants to the Several and Respective Assessors of the said City and County to take a true and exact account of all the Estates Real and personal of all the Freeholders Inhabitants and Residents within the Several Wards of the said City and County for which they at the time of Issuing Such Warrants Shall be assessor or assessors and a true equal and impartial assessment to make and the Same at a Day in the Said Warrants to be prefixed by the Mayor or Recorder and Aldermen or the major part of them then Met to exhibit and When the Said Assessments are by the Said Assessors compleated and a full account of the same fully cast up according to the pound Value of the Said Estates So that the Quota with



the allowance for the City and County of New York be apparent and Made Known Then the Said Mayor Recorder and Aldermen or the major part of them Shall issue their Warrants to the several and Respective Collectors Within the said City and County to collect the Quota with the allowance by this Act directed and that the same be paid unto the Treasurer of this Colony on or before the first Tuesday in November Yearly and Every Year during the said Term of Six Years.

AND in order that the Assessments may be truly equally and impartially made and done BE IT ENACTED by the authority Aforesaid that every assessor that Shall be Chosen and Elected within the City and County of New York during the term of Six years Aforesaid Shall before he Enters upon the performance of the Duty and service required of him by this Act take an Oath upon the Holy Evangelists of Almighty God in the Words following to wit I A B do swear that I will well and truly equally and impartially and in due proportion according to the best of my skill knowledge and understanding assess and rate all the freeholders inhabitants and residents of the ward for which I am chosen assessor Which Oath the Said Mayor Recorder and Aldermen or the Major part of them So met are hereby empower'd required and directed to administer

AND for the effectual assessing Collecting and Paying the respective QUOTA'S for the City and County of Albany and all the other Counties in this Colony together with the before mentioned allowance to the Collectors and County Treasurers BE IT ENACTED BY THE AUTHORITY AFORESAID that the Supervisors of the Said City and County and all the other respective Counties in this Colony or the major part of them respectively Shall meet on the first Tuesday in June every Year during the Said Term of Six Years Where the Majority of the Supervisors then Met Shall cause the respective Quota's and allowances aforesaid of each County to be raised Assessed Levied and Collected in the same manner as the other Necessary and Contingent charges thereof are And the respective Collectors are hereby required and enjoyned to pay the respective Quota's to be by them Collected unto the respective County Treasurers on or before the first Tuesday in October Yearly and every Year during the Said term of Six Years and each of the Said County Treasurers are hereby enjoyned and required to Pay the respective Quota's of their County's to the Treasurer of this

Colony on or before the first Tuesday in November then next following during the Said term of Six Years

AND be it further Enacted by the Authority Aforesaid that in case any of the Collectors Shall Neglect or delay to make their respective payments to the respective County Treasurers for the Space of three months next after the times appointed by this Act the Said County Treasurers Shall be and hereby are enabled directed and required to commence Actions in their own Names respectively for the Said Sum or Sums or Such part thereof as Shall then be unpaid in the County Court where Such default shall happen and prosecute the same to effect And in case any of the respective County Treasurers Shall neglect their respective duties herein all Such Sum or Sums of money Shall be deemed taken and esteemed Assets in their hands respectively and they Shall be charged therewith as having received the Same by the Treasurer of this Colony who Shall be and hereby is enabled directed and required in his own Name to commence Actions for the Same in the Supreme Court of this Colony within one month after Such default made by any of the County Treasurers respectively and prosecute the Same to effect And in case the Treasurer of this Colony Shall Neglect his duty herein all Such Sum and Sums of Money So being unpaid Shall be deemed taken and esteemed assets in his hands and he Shall be Chargeable therewith as if he had Actually received the same And in case any of the Collectors in the City and County of New York Shall Neglect or delay making their payments of the Aforesaid Tax for one Month after the times directed by this Act the said Treasurer shall be and hereby is enabled directed and required in his own Name to commence Actions Against Such defaulter or defaulters and Prosecute the Same to effect and in default of Such prosecution the money So unpaid Shall be deemed taken and esteemed Assets in his hands as if he had Actually received the Same any Law usage or Custom to the contrary Notwithstanding

AND be it enacted by the authority Aforesaid That Such Mayor Recorder Aldermen Supervisors Assessors Collectors or County Treasurers within this Colony as Shall deny refuse Neglect or delay to do perform and Execute all or any of the Powers Duties and Authority's by this Act required of him or them to be done and Shall be thereof Lawfully convicted in any of his Majesties Courts of Record he or they Shall Suffer Such

pains by fine or Imprisonment as by the Discretion of Such Court or Courts Shall be adjudged

AND be it further Enacted by the authority aforesaid That the Treasurer of this Colony Shall out of the money's raised as Aforesaid Pay the following Sums to Wit

UNTO his Excellency the Governor for the Extraordinary expence he has been put to in attending the publick Service at Albany after the late Engagement at Lake George the Sum of Five hundred pounds

UNTO his Said Excellency the Governor for providing Sundry Articles Necessary for Presents to be made to the Indian Nations at the ensuing Interview at Albany the Sum of Four hundred and fifty Six Pounds

UNTO his Said Excellency the Governor for the expence of Transporting to Albany the Presents to be made to the Indian Nations and Supplying the Said Indians with Provisions when they come to meet his Excellency at Albany at the ensuing Interview the Sum of Two hundred pounds

UNTO his Said Excellency the Governor for the expence of his Voyage to Albany when he goes to meet the Said Indian Nations the sum of One hundred and fifty Pounds

UNTO Major General Johnson as Commander in chief on the Expedition against Crown Point from the Sixteenth day of April One thousand Seven hundred and fifty five to the Second Day of December following after the Rate of Nine Pounds five Shillings per Month being one fifth part of the pay due to him and the just proportion of this Colony the Sum of Sixty nine Pounds Seven Shillings and six pence

UNTO the Said Major General Johnson for his expences on his Commission to treat with the Six Nations at Onondago in the Year One thousand Seven hundred and fifty three in discharge of his account against this Colony the Sum of Seventy two Pounds Nine Shillings

UNTO Robert Charles Esquire for Sundry extraordinary Services and disbursements made for the use of this Colony for Six Years ending the Eighth day of May One thousand Seven hundred and fifty four the Sum of Nine hundred and fifty four Pounds Seventeen Shillings

UNTO George Duncan for money's advanced by him for the use of this Colony the twenty Second of July One thousand Seven hundred and fifty one the Sum of Three pounds Seven Shillings and ten pence

Unto John De Peyster for Transporting Cannon and other Stores of War to Oswego In the Year One thousand Seven hundred and fifty four in discharge of his account the Sum of Seventy Seven Pounds twelve Shillings and Six pence

Unto Meyndert Wemp for his Services as Smith in the Senecas Country and for Sundry disbursements in that Service in the year One thousand Seven hundred and fifty three the Sum of One hundred and Seven Pounds three Shillings and Ten pence.

Unto Jacob Van Schuaick junior for Transporting an officer and Company of Soldiers in the year One thousand Seven hundred and fifty four from New York to Albany by order of his Honour the Lieutenant Governor the Sum of Five pounds Two Shillings

Unto Peter Winne Esq'r for his Extraordinary expences in Repairing Fort Frederick in the City of Albany in the year One thousand Seven hundred and fifty three over and Above the Sum that was allowed unto him Peter Douw and John B. Van Rensselaer Esquires for the Said Service the Sum of Forty five pounds Thirteen Shillings and Seven pence halfpenny And for their care and trouble in the disposition of the Said Money the Sum of Seven Pounds and Ten shillings

Unto Jacob Golet for Sundry Services done by order of the Committee and Commissioners for Inspecting into the Eastern boundaries of this Province and for Translating Sundry Papers and Records the Sum of Thirty three Pounds Eight Shillings and Nine Pence

Unto Beverly Robinson for money Advanced by him for Transporting a Number of Sheep to Albany for the use of the Army under the Command of Major General Johnson the Sum of Fifty Seven pounds Six Shillings and Seven pence.

Unto Killian De Rider for his Service as a guide to Major General Johnson in the late Expedition against Crown Point the Sum of Eight Pounds

Unto Tunis Jacobs for work done on the Governors House in Fort George in the City of New York the Sum of Seventeen Pounds Two Shillings and Eight pence

Unto Gilbert Forbes for Sundry Materials Supplied by him for the Said Service the Sum of Two Pounds and Seven pence half penny

Unto Richard Ayscough for Medicines for the Sick and Wounded men belonging unto Colonel Cockerofts Regiment

Quartered at John McCudy's in the City of Albany the Sum of Seventeen pounds Nine Shillings and Six pence

Unto the Said Richard Ayscough for Medicines for the Sick and Wounded Men belonging to Colonel Cockerosts Regiment Quartered at the Hospital in the City of Albany the Sum of Thirty four pounds

Unto Sybrandt G. Van Schaick and Volekert P. Douw for their Services as Commissioners in Settling the Quota of Men to Garrison Fort Edward and Fort William Henry and discharging the Rest of the Troops in the Pay of this Government the Sum of Twenty Pounds.

Unto Oliver De Lancey Esquire for Several extraordinary Disbursements to the Indians by order of his Excellency the Governor after the late Engagement at Lake George the SUM of One hundred and twenty one pounds Eleven Shillings and one penny half penny

UNTO Frederick Fort for his Services as an Outscout from the fifteenth day of October One thousand Seven hundred and forty five to the Sixteenth day of November following the Sum of Six pounds twelve Shillings

Unto Sybrandt G Van Schaick for his expences on two Journeys Among the Indians the one in April last by order of the Lieutenant Governor the other in September following by order of his Excellency Sir Charles Hardy the Sum of Eighty five Pounds Nine Shillings

Unto Cap<sup>t</sup> Peter Winne for Sundry disbursements to the Said Sybrandt G Van Schaick relating to the Said Service in September last the Sum of Five Pounds Five Shilling & Nine pence

Unto the Said Peter Winne for Sundry disbursements to the Said Sybrandt G Van Schaick relating to the Aforesaid Service in April last the Sum of Thirteen Pounds Eleven Shillings and Six pence

Unto John Van Slee Volekert Von Veghtē and Hendrick Wendell for their Service as Smiths in the Seneca's Country and for Sundry presents by them made to the Indians from the twelfth day of October One thousand Seven hundred and fifty four to the twelfth day of April One thousand Seven wundred and fifty five the Sum of One hundred and twelve Pounds Six Shillings and ten pence.

Unto Hendrick Wemp John Glen junior and Goose Van Schaick junior for their Service as Smiths Among the Cajuja



Indians from November One thousand Seven hundred and fifty four to May One thousand Seven hundred and fifty five and for Sundry disbursements to the Said Indians in discharge of their account the Sum of Ninety Pounds Eighteen Shillings and five pence

Unto Michael Basset John J Bleecker and Harmanus Cuyler for their Service as Smiths at Onondaga from the twenty Second day of October One thousand Seven hundred and fifty four to the latter end of April following and for sundry disbursements in that Service in discharge of their account the Sum of Seventy four Pounds Eighteen shillings and three pence.

Unto Luycas Van Veghte for transporting Ninety Six Men in the Service of this Colony on the late Expedition against Crown point from New York to Albany and for Sundry disbursements in the Said Service the Sum of Thirty one pounds and Ten Shillings.

Unto John Thomas Esquire for moneys advanced by him for Billeting Captain Isaac Cursa's Company before their Imbarkation to Albany the Sum of Sixteen Pounds four shillings

Unto Henry Filkin Esquire for Billeting Captain Peter Van Den Burgh's Company before their Imbarkation for Albany the Sum of Twenty three pounds Thirteen Shillings

Unto Doctor Peter Middleton for the Ballance of his account, over and above the fifty Seven Pounds paid him by the Commissioners at Albany, for his Service as Doctor in the late Expedition against Crown point the Sum of One hundred and twenty five Pounds

Unto the Said Peter Middleton for Medicines and Sundry other necessary Disbursements in the Aforesaid Service the Sum of Twelve Pounds Ten Shillings and Seven pence.

UNTO Doctor John Bard for his Medicines and attending the Sick and Wounded French Prisoners taken in the late Engagement at Lake George the Sum of Forty Nine Pounds Fourteen Shillings

UNTO the Said John Bard for the Expence of Lodging Nursing Victualling and other necessarys for the Said French Prisoners the Sum of Sixty one pounds Twelve shillings & Eleven pence

Unto Doctor Richard Ayscough for Medleines and Cases of Surgery for the Said Prisoners when at Albany Sent thither by Major General Johnson the Sum of Fourteen Pounds

Unto the Said Richard Ayscough for medicines and taking care of John the Indian wounded in the late Engagement at Lake George the Sum of Five Pounds Thirteen Shillings

Unto Oliver De Lancey Esquire for transporting Twenty French Prisoners from Lake George to Albany and from thence to New York and for other extraordinary disbursements for the service of this Colony the Sum of Seventy One pounds three Shillings and two pence half penny

Unto Jacob C Ten Eyck for Sundrys furnished Sybrandt G Van Schalek on his Journey to the Six Nations by order of his Honour the Lieutenant Governor in the Year one thousand seven hundred and fifty five the Sum of Twenty four Pounds Eighteen Shillings and Eight pence

Unto Jacobus Clement for the Services performed by him as Indian Interpreter by order of His Honour the Lieutenant Governor the Sum of Thirty Pounds.

Unto Oliver De Lancey Esquire for the Ballance of his accounts respecting sundry goods provided for the Crown Point Expedition and for Transporting the Troops under the Command of Colo Dunbar to Albany (the amount of the one third part of the Provisions granted by the Colony of Pennsylvania for the use of the Force Engaged in the Said Expedition and Sold by him Hans Hansen and John Cuyler Esquires, pursuant to Act being first deducted) the sum of Three hundred and Six pounds Two Shillings and four pence half penny.

Unto Jasper Farmar and John Dies for the pay and Expence of Six Matrosses Sent up to Lake George in discharge of their account the Sum of One hundred and Thirteen Pounds one shilling and five Pence

Unto Charles Chandine for furnishing Materials and Building a Kitchen in Fort George the Sum of Five hundred Pounds.

Unto John Roberts Esquire high Sheriff of the City of New York for Victualling and Lodging Eleven French Prisoners taken in the late Engagement at Lake George in discharge of his account the Sum of Fifty Six Pounds.

Unto Johan Joost Petrie for Supplying the Garrison of Oswego with Six Months Provisions ending the first day of May last the Sum of Four hundred and fifty Six pounds

Unto the Captain Commanding the Sixty Rangers Employed on the Western Frontier of this Colony the Sum of Six Shillings per Man for the time that he shall be engaged in the Said Service not exceeding One hundred Days; Unto the Two LIEUTENANTS

Commanding under the Said Captain five Shillings per Diem each for the time they shall be engaged in the Said Service not exceeding one hundred Days And unto Sixty effective private Men three Shillings per Diem each for the time they Shall be engaged in the Said Service not exceeding one hundred Days to be ascertained by Certificates from the Respective Colonels from whose Regiments they have been taken

Unto Abraham Lott junior Clerk to the General Assembly for his Extraordinary Services in that Station from the first day of September One thousand Seven hundred and fifty three to the first day of September One thousand Seven hundred and fifty five the Sum of Fourteen Pounds.

Unto Alexander Lamb Doorkeeper to the General Assembly for providing firewood and Sundry other disbursements for the use of the General Assembly the sum of Twenty pounds

Unto James Parker Printer for Printing the Bills of Credit emitted by Virtue of an Act Entituled "An Act for raising the Sum of Eight thousand pounds to be Contributed to the Colony of Connecticut towards the expence of a Reinforcement of Two thousand effective men now levying in the Said Colony for the Army destined against Crown Point under Major General Johnson and for emitting Bills of Credit to the amount of the Said Eight thousand pounds for making immediate Payment " And for Printing the Bills of Credit herein After directed the Sum of Nine Pounds Ten Shillings

Unto Phillip Schuyler and John De Pevster Esquires Commisaries for Paying the Forces of this Colony on the late Expedition against Crown Point for the Ballance of their accounts to the Thirty first day of December last the Sum of Two thousand Two hundred and Ten pounds Eighteen Shillings and three pence

Unto the Said Commisaries the Sum of One thousand four hundred and Ninety Nine Pounds four Shillings and three pence half penny to be by them employed in paying the Forces of this Colony now in Garrison at Fort William Henry and Fort Edward on the Northern Frontier of this Colony after the like rates and in the Same Manner in all respects as the Forces provided by this Colony on the Late Expedition against Crown Point were paid of the disposition of which Sum the Said Commisaries Shall keep exact Books and render true and just accounts On Oath to the Governor or Commander in chief for the time being the Council or General Assembly when by them or any of them thereunto required

AND be It Enacted by the authority Aforesaid that when the Treasurer Shall have paid the Several Sums by this Act directed to be paid All the Residue of the Money to be raised by this Act Shall remain in the Treasury to be disposed of by Act or Acts hereafter to be passed for that Purpose

AND be It Enacted by the Authority Aforesaid that the Treasurer Shall keep Exact Books of all the Receipts and Payments by Virtue of this Act and A true and just account Shall render thereof upon Oath to the Governor or Commander in chief for the time being the Council and the General Assembly when by them or any of them thereunto required.

AND be it further Enacted by the authority Aforesaid That for making immediate Payment for the Services Aforesaid Bills of Credit to the amount of the Aforesaid Sum of Ten thousand Pounds Shall be forthwith Printed made and Issued and lodged in the Treasury for the uses directed by this Act That is to Say One thousand Bills of Ten pounds each Upon each and every of which Bills Shall be impressed on the right Side thereof the Arms of the City of New York and under the arms in different Characters these Words ITS DEATH TO COUNTERFEIT THIS BILL Which Bills Shall be in the form following that is to Say. By a Law of the Colony of New York this Bill Shall pass Current for Ten Pounds New York the Sixteenth Day of February One thousand Seven hundred and Fifty Six. Which Said Bills Shall be Signed by Paul Richard Henry Cruger William Walton and John Watts Esquires or any three of them and numbered by one of them and in case of the Death of any of the Said Persons the Said Bills Shall be Signed by the Majority of the Survivors of them

AND be It Enacted by the authority aforesaid That Abraham De Perster the Present Treasurer of this Colony in whose hands the Stamps of the Arms of the City of New York and the other Plates are deposited Shall in the presence of the Signers aforesaid or the Major part of them deliver unto James Parker Printer the Said stamps and plates who is hereby appointed to Print the Said Bills and on them to impress the Said Arms and Plates which when done the Said James Parker Shall redeliver to the Said Treasurer the Said Stamps and Plates in the presence of the Signers Aforesaid or the Major part of them and the Receipt of the Said Treasurer Shall be to the Said Printer a Sufficient discharge for the Same and the

Said Printer is hereby required and directed to Deliver to the Signers hereby Appointed to Sign the Said Bills every Bill of Credit by him Printed and shall upon his delivery of the Said Bills take an Oath in the Words following

I A. B. do declare that from the time that the Letters were Set and fit to be put into the Press for Printing the Bills of Credit now by me delivered to you untill the Bills were Printed and the Letters afterwards distributed into the Boxes I went at no time out of the Room in which the Said Letters were without Locking them up so that they could not be come at without Violence a false Key or other Art then unknown to me and therefore to the best of my Knowledge no Copyes were printed off but in my presence and that all the Blotters and other Papers whatsoever Imprest by the Said Letters whilst Set for printing the Said Bills to the best of my Knowledge are here delivered unto you together WITH the Stamps and in all things Relating to this Affair I have well and truly demeaned my self according to the true intent and meaning of the Law in that Case Made to the best of my Knowledge and understanding.

WHICH oath all or any of the Said Signers are hereby empowered directed and Required to Administer

AND be it Enacted by the Authority Aforesaid that the Persons herein Appointed to Sign the said Bills of Credit shall take an oath before a Magistrate of the City of New York Each of them well and truly to perform what by this Act they are enjoyned as their Duty and will Knowingly Sign no more Bills of Credit than as by this act is directed and if it Shall happen that any Supernumerary Bills Shall be left after the said number shall be delivered to the said Treasurer in manner Aforesaid all Such Supernumery Bills Shall be Burnt and destroyed by the said Signers or the Major part of them or by the Majority of the Survivors of them in the Presence of the Treasurer of this Colony

AND be it Enacted by the authority Aforesaid that the Bills of Credit Enacted and Appointed by this Act to be Currant Shall be received by the Treasurer of this Colony in all publick Payments and for any fund at any time in the Treasury and by any Person within this Colony in all Cases whatsoever during the time they are Enacted to Continue and be as effectually Current as any other Bills of Credit made Current in this



Colony by any Act of the Governor Council and General Assembly.

AND be it Enacted by the authority aforesaid That if any Person or Persons Whatsoever shall Counterfeit any of the Bills of Credit made Current by this Act or shall Alter any of the said Bills made Current as Aforesaid so that they shall appear to be of greater Value than by this Act the same Bill or Bills so Altered were Enacted signed and Numbered to pass Current for or shall knowingly pass or give in Payment any of the Bills aforesaid So Counterfeited or Altered Every Person guilty of Counterfeiting or Altering any of the said Bills as aforesaid or of Knowingly passing or giving in Payment any such Counterfeit or Altered Bill Shall be guilty of Felony and being thereof Convicted Shall Suffer the pains of Death without benefit of Clergy And tho' such Counterfeiting Altering or Knowingly passing Counterfeit or altered Bills shall be done out of this Colony Yet any Grand Jury within the City and County of New York is hereby impowered to present the Same and to set forth in the Indictment the place where by their Evidence it appeared that the Fact was Committed which Indictment is hereby declared good notwithstanding that the place Alledged be out of this Colony and the Petty Jury on the Tryall of all such issues Shall be returned from the body of the City and County of New York any Law Usage or Custom to the Contrary Notwithstanding

AND be it Enacted by the authority aforesaid that the Bills of Credit made Struck and Issued by Virtue of this Act Shall be and remain Current untill the first Tuesday in November which will be in the Year of our Lord One thousand Seven hundred and Sixty one Inclusive

AND be it Enacted by the authority aforesaid that as the money to be raised Levied and Collected by Virtue of this Act Shall be paid into the Treasury the Treasurer of this Colony for the time being Shall be and he is hereby directed and Required to use his utmost endeavours to Exchange the same for Bills of Credit made Currant by this Act Which Said Bills So procured Shall be kept in the Treasury Ready to be Cancelled in Manner as is directed in and by an Act Entituled "An Act for the more effectual Cancelling the Bills of Credit of this Colony" passed in the Twenty first Year of his Majesties Reign.

## [CHAPTER 1009.]

[Chapter 1009, of Van Schaack, where the title only is printed. Chapter 88 (vol. 2) of Livingston & Smith, where the latter portion of the act is printed.]

**An Act for Raising Paying and Subsisting One thousand Seven Hundred and fifteen effective Men officers included to be employed in Conjunction with the Neighbouring Colony's on an Expedition for Reducing the French Fort at Crown Point and Carrying on an Offensive War Against the Indians who infest the Western Frontiers of this Colony and other purposes therein Mentioned.**

[Passed, April 1, 1756.]

**WHEREAS** the Subjects of the French King have Erected a Fort at Crown Point within his Majesties Undoubted Dominions and made many other Incroachments on his Majesties Lands to the great Annoyance of his good Subjects For Reducing the said Fort and removing the Incroachments Aforesaid

**BE IT ENACTED** by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same that there shall be given and Granted unto his Majesty his Heirs and Successors to and for the uses and purposes aforesaid and to no other use or purpose the sum of Fifty two Thousand Pounds Which shall be assessed Raised and Levied upon the Estates Real and Personal of all and every the Freeholders Inhabitants and Residents within this Colony and Shall be Collected and Paid in manner following That is to Say The Sum of Thirteen thousand Pounds On or before the first Tuesday in November which will be in the Year of our Lord One thousand Seven hundred and Sixty Two The like Sum of Thirteen thousand Pounds on or before the first Tuesday in November which will be in the year of our Lord One thousand Seven hundred and Sixty three The like Sum of Thirteen Thousand Pounds on or before the first Tuesday in November which will be in the Year of our Lord One thousand Seven hundred and Sixty four And the like Sum of Thirteen thousand Pounds on or before the first Tuesday in November

which will be in the year of our Lord One thousand Seven hundred and Sixty five Which Said Several Sums of Thirteen thousand Pounds hereby Appointed to be paid on the Days and Years aforesaid Shall be yearly Raised Levied and Paid by the Freeholders Inhabitants and Residents in the Several and Respective Citys & Counties within this Colony during the four years Aforesaid According to the Quota's and Proportions following That is to Say

IN the City and County of New York the Sum of Four thousand three Hundred and thirty three Pounds Six Shillings Yearly and every Year during the Said Four Years.

IN the City and County of Albany the Sum of Two thousand one Hundred and Sixty five Pounds Eight Shillings Yearly and every Year during the Said Four Years

IN Kings County the Sum of Five hundred and Sixty Pounds Six Shillings Yearly and every Year during the Said Four Years.

IN Queens County the Sum of One thousand one hundred and Fifty Nine Pounds Twelve Shillings Yearly and every Year during the Said Four Years

IN Suffolk County the Sum of Nine hundred and Ninety Seven Pounds Two Shillings Yearly and every Year during the Said Four Years.

IN Richmond County the Sum of Three hundred and Fifty Two Pounds Six Shillings Yearly and every Year during the Said Four Years.

IN Westchester County the Sum of Eleven hundred and Fifty Nine Pounds Twelve Shillings Yearly and every Year during the Said Four Years.

IN Ulster County the Sum of Nine hundred and Ninety Seven Pounds Two Shillings Yearly and every Year during the Said Four Years.

IN Dutchess County the Sum of Nine hundred and Twenty Six Pounds Eighteen Shillings Yearly and every Year during the said Four Years

AND in Orange County the Sum of Three hundred and Forty Eight Pounds Eight Shillings Yearly and every Year during the said Four Years.

AND to the End the full Sum Intended by this Act may be effective and Compleat BE IT ENACTED by the Authority Aforesaid that over and Above the Several Quota's Above Mentioned there shall be Raised Assessed Levied and Col-

lected the Respective Sums following that is to Say On the Quota for the City and County of New York the Sum of Nine Pence over and above every Pound to be retained in the hands of the several Collectors as a Reward for their Trouble in Collecting and Paying the same to the Treasurer of this Colony and on the Quota's for the City and County of Albany and all the other Counties in this Colony the Sum of One Shilling over and Above every Pound out of which the Several Collectors may retain in their Hands the sum of Nine Pence on each Pound for Collecting and paying to the Several County Treasurers And the Remaining three Pence the County Treasurers Respectively may retain in their hands as a Reward for their Trouble and Service in Receiving and Paying the Monies Arising by this Act to the Treasurer of this Colony.

AND to the End that the Assessments may be made in Such Convenient time by the Assessors that the Sums intended to be raised by this Act may be Collected and Paid at the Times herein After mentioned and Appointed and that Assessments may be truly equally and impartially made as of Right they ought to be BE IT ENACTED by the Authority Aforesaid that the Mayor Recorder and Aldermen of the City and County of New York or the greater part of them FOR the time being Shall meet and Assemble at the City Hall of the Said City on the first Tuesday in June in every Year during the Said Four Years and then and there Issue their Warrants to the Several and Respective Assessors of the Said City and County to take a true and exact account of all the Estates Real and Personal of all the Freeholders Inhabitants and Residents within the Several Wards of the Said City and County for which they at the time of Issuing such Warrants Shall be Assessor or Assessors And a true Equal and Impartial Assessment to Make and the Same at a Day in the Said Warrants to be prefixed by the Mayor or Recorder and Aldermen or the major part of them then Met to Exhibit And when the Said Assessments are by the Said Assessors Completed and a full account of the Same fully Cast up according to the Pound Value of the Said Estates Soch<sup>e</sup> the Quota with the Allowance for the City and County of New York be Apparent and Made Known then the Said Mayor Recorder and Aldermen or the Major part of them Shall issue their Warrants to the several and Respective Collectors within the Said City and County to Collect the Quota with the allowance

by this Act directed And that the Same be paid unto the Treasurer of this Colony on or before the first Tuesday in November Yearly and every Year during the Said Term of Four Years.

AND that the Assessments may be truly Equally and impartially made and done BE IT ENACTED by the Authority Aforesaid that every Assessor that Shall be chosen and Elected within the City and County of New York during the Term Aforesaid Shall before he Enters upon the performance of the Duty and Service required of him by this Act take an Oath upon the Holy Evangelists of Almighty God in the Words following to Wit I A, B, do Swear that I will well and truly equally and impartially and in due proportion according to best of my Skill Knowledge and Understanding Assess and Rate all the Freeholders Inhabitants and Residents of the Ward for which I am Chosen Assessor Which Oath the Said Mayor Recorder and Aldermen or the Major part of them **So Met are** hereby Impowered required and directed to Administer.

AND for the Effective Assessing Collecting and Paying the respective Quota's for the City and County of Albany and all the other County's in this Colony together with the before-mentioned Allowance to the Collectors and County Treasurers BE IT ENACTED by the Authority Aforesaid that the Supervisors of the Said City and County and all the other respective County's in this Colony or the Major part of them Respectively Shall meet on the first Tuesday in June every Year during the Said Term Where the Majority of the Supervisors then Met Shall Casae the respective Quota's and Allowances AFORESAID of each County to be raised Assessed Levied & Collected in the Same manner as the other Necessary and Contingent Charges thereof are and the respective Collectors are hereby required and Enjoyned to Pay the respective Quota's to be by them Collected unto the respective County Treasurers on or before the first Tuesday in October Yearly and every Year during the Said Term and each of the Said County Treasurers are hereby Enjoyned and Required to Pay the respective Quota's of their Counties to the Treasurer of this Colony on or before the first Tuesday in November then next following during the Said Term

AND be It further Enaced by the Authority Aforesaid that in Case any of the Collectors Shall Neglect or delay to make their respective Payments to the respective County Treasurers for the Space of three Months Next after the times Appointed



by this Act The Said County Treasurers Shall be and hereby are Enabled directed and required to Commence Actions in their own Names respectively for the Said Sum or Sums or Such part thereof as Shall be then unpaid in the County Court where Such default Shall happen and Prosecute the same to effect And in Case any of the respective County Treasurers Shall Neglect their Respective duties herein All Such Sum or Sums of Money Shall be deemed taken and Esteemed Assets in their hands Respectively and they shall be charged therewith as having received the Same by the Treasurer of this Colony Who Shall be and hereby is enabled Directed and Required in his own Name to Commence Actions for the Same in the Supream Court of this Colony within one Month After Such default made by any of the County Treasurers Respectively and Prosecute the Same to effect And in Case the Treasurer of this Colony Shall Neglect his Duty herein all Such Sum or Sums of Money So being unpaid Shall be deemed taken and Esteemed Assets in his hands and he Shall be Chargable therewith as if he had Actually received the Same And in Case any of the Collectors of the City and County of New York Shall Neglect or delay making their Payments of the Aforesaid Tax for one Month After the times directed by this Act The said Treasurer shall be and hereby is Enabled Directed and Required in his own Name to Commence Actions Against Such Defaulter or Defaulters and Prosecute the same to Effect And in default of Such Prosecution the moneys So unpaid Shall be deemed taken and Esteemed Assets in his hand as if he had Actually received the Same Any Law Usage Custom to the Contrary Notwithstanding

AND be it Enacted by the authority aforesaid That Such Mayor Recorder Aldermen Supervisors Assessors Collectors or County Treasurers within this Colony as Shall Deny Refuse Neglect or Delay to do Perform and Execute all or ANY of the Powers Duties and Authority's by this Act required of him or them to be done and Shall be thereof Lawfully Convicted in any of his Majesties Courts of Record he or they Shall Suffer Such Pains by Fine or Imprisonment as by the discretion of Such Court or Courts Shall be adjudged

AND be it Enacted by the Authority Aforesaid That the Treasurer of this Colony Shall out of the Money's to be raised by Virtue of this Act Pay unto Oliver De Lancey Beverly Robinson and John Cruger Esquires Whom his Excellency the

Governor has been Pleased to Appoint Paymasters and Commissaries to the Forces of this Colony the Sum of Eight Thousand and Seven Hundred Pounds to be by them Applied in the Payment of Thirteen Hundred and fifteen Effective Men Officers included who are to be employed in Conjunction with the Neighbouring Colonys in Reducing the French Fort at Crown Point and Removing the French from their Incroachments there After the following Rates VIZt; To one Colonel at the Rate of Sixteen Shillings per Diem To one Lieutenant Colonel Fourteen Shillings per Diem To one Major Twelve Shillings per Diem To thirteen Captains Eight Shillings per Diem Each To Twenty Six Lieutenants Six Shillings per Diem Each To one Quarter Master Four Shillings per Diem, To one Commissary of Stores and Provisions Four Shillings per Diem To fifty two Sergeants at the Rate of One Shilling and Eight pence per Diem each To Thirteen Drummers at the Rate of One Shilling and Six pence Each per Diem To thirty Nine Corporals at the Rate of One shilling and Six pence Each per Diem and Unto One thousand One hundred and Sixty Nine private Men at the Rate of One Shilling and three pence per Diem Each Deduction to be made for any deficiency in that Number by Death or otherwise Which forces they are hereby directed to Pay according to the Number that Shall be in Actual Service and not otherwise which Shall be Ascertained by the Muster Rolls of the Several Companies Monthly delivered to the Said Paymasters upon the Oath of the Several Captains of each Company or the oath of the Commanding Officer thereof at the time of such Muster Which Oath the Said Paymasters or either of them are hereby impowered and Required to Administer in the Words folowing Viz't I A. B: do Swear that the muster Roll here produced by me is just and True and Contains No more nor other persons names than Such Who are really and truly Enlisted in my Company, and are Now actually and Really in the Service on the Present Expedition Against Crown point, So help me God. And the said Paymasters are hereby further required and directed to Pay to one Doctor providing three Able Assistants to attend the Said Forces the Sum of Twenty Six Shillings per Diem And Also to provide him with a proper Chest of Medicines of the Value of one hundred and Fifty Pounds To one Armourer Six Shillings per Diem And to Each Able Bodied Man Now in Garrison at Fort Edward & Fort William Henry in the Pay of this

Colony (Commission officers excepted) who will Engage to continue in the Service on the Expedition now intended against Crown Point the sum of Five Pounds.

AND be it further Enacted by the Authority Aforesaid That the Treasurer Shall out of the Money's aforesaid Pay unto Each of the Said Captains or other officers Properly Authorized to Raise the Forces the sum of Twenty Shillings for each Able Bodied Man whom he or they Respectively Shall Engage to Inlist Voluntarily in THE Said Service and to Each of the Said Captains as and for an Encouragement to the Men who Shall inlist under him or them Respectively the Sum of Five Pounds to be paid by him or them respectively to each and every Able Bodied man who Shall Voluntarily inlist under him or them on the aforesaid Service Which Said Respective Sums Shall be paid by the Treasurer on Warrants issued by the Governor or Commander in Chief for the time being in Council According to Such Certificates as are herein after mentioned Signed by the Person or Persons impower'd to give the Same

AND to the End Musters may be duely and Regularly Made and no deceit or Fraud practised therein BE IT ENACTED by the Authority Aforesaid That They Shall be made before Persons Appointed by his Excellency the Governor or Commander in Chief for the time being for that purpose Which Persons upon any Muster being Made before them shall Strictly Examine Whether all the Men there produced in order to be Mustered are Able Bodied Men And whether they are Really and Truly Inlisted under the Captain or other officer producing them to go in Conjunction with the Men raised in the Neighbouring Colonys for the Service Aforesaid and finding them upon Such Examination to be able Bodied Men and that they are Really and truly Inlisted under Such Captain or other officer to go upon the Said Service they shall give the said Captain or other officer a Certificate or Certificates thereof And in Case any Captain or other officer Shall produce any Certificate of a greater Number of able Bodied Men than are Really and truly Mustered by or under him or them as Aforesaid Or that any Person or Persons Appointed to give the Same Shall Sign any Such False Certificate they Shall Respectively forfeit the Sum of One hundred pounds One half thereof to be to his Majesty His Heirs and successors towards Carrying on the Services Aforesaid the other to any Person who will Sue for the Same

any Court of Record within this Colony wherein No Essoin Return Wager of Law or any more than one Imparllance shall be allowed

AND That none of his Majesties Subjects who are inclined to go upon the Service Aforesaid Should be Impeded or Debarred from Entering Voluntarily therein BE IT<sup>e</sup> ENACTED by the Authority Aforesaid That no Person who is enlisted or shall enlist and Enter himself a Volunteer in the Said Service shall during the Same be liable to be taken therefrom by any Process or Execution Whatsoever other than for Some Criminal Matter Unless for a Debt or other just cause of Action and unless before the Taking out of Such Process of Execution (not being for a Criminal Matter) the Plaintiff or plaintiffs herein or Some other Person or Persons on his or their behalf shall Make Affidavit before one or more Judge or Judges of the COURT of Record or other Court out of which Such Process or Execution shall Issue or before Some Person Authorized to take Affidavits in Such Courts that to his or their Knowledge the Original Sum justly due & owing to the Plaintiff or Plaintiffs from the Defendant or Defendants in the Action or Cause of Action on which Such Process shall Issue or the Original Debt for which Such Execution shall be Issued amounts to the Value of Twenty Pounds Current Money of the Colony of New York over and Above all Costs of Suit in the Same Action or in any other Action on which the Same has been or shall be grounded A Memorandum of which Oath shall be Marked on the back of Such Process or Writt for which Memorandum or oath No Fee shall be taken And if any Person shall Nevertheless be Arrested contrary to the Intent of this Act it shall and may be Lawfull for one or more Judge or Judges of Such Court upon Complaint made thereof by the party himself or by any of his Superior Officers to examine into the Same by the Oath of the Parties or otherwise And by Warrant under his or their hands and Seals to discharge such Soldier so Arrested or detained Contrary to the Intent of this Act without Paying any Fee or Fees upon due proof made before him or them that Such Soldier so Arrested or detained was legally enlisted for the Service aforesaid and was arrested and detained Contrary to the Intent of this Act

AND be it Enacted by the authority aforesaid That no Person or Persons Whatsoever who shall Voluntarily enlist for the Service aforesaid shall be liable to be impressed or detained for any future Service for the Term of Two Years thereafter

AND be it Enacted by the authority Aforesaid That any Person or Persons who are Willing to enlist and shall accordingly enlist for the Service Aforesaid who are now detained in Goal upon Execution or any Process in any Civil action Wherein the Original Cause of Action did not amount to the Sum of Twenty Pounds Shall upon producing a Certificate of Such his or their Enlistment to any Judge or Judges of the Court from whence Such Process Issued be discharged from Imprisonment without Paying Fees PROVIDED NEVERTHELESS that Such discharge Shall Not be deemed an Extinguishment of any such Debt but that any Plaintiff or Plaintiffs may be at Liberty to proceed to Judgment and Execution against the Goods of any such Defendant and also against their Person or Persons Six Months after he or they Shall be discharged from the Said Service.

AND be it further Enacted by the Authority aforesaid that in Case any Person or Persons whatsoever Engaged in the Aforesaid Service either as officers or Soldiers Shall at any time during the Said Service Desert therefrom or Shall begin Excite Cause or Join in any mutiny or Sedition in the Company TO which he doth belong or in any other Company Engaged in the Said Service or Shall hold Correspondence with any Rebel or Enemy of his Majesty or give them advice or Intelligence by Letters Messages Signs or Tokens or any manner of way whatsoever Or Shall Strike or use any Violence against his Superior officer being in the Execution of his Office Or Shall refuse to Obey any Lawfull Command of his Superior officer they Shall respectively Suffer Death or Such other Punishment as Shall be inflicted by a Court Martial Which Court Martial Shall be held Constituted and appointed by Commission from the Governor or Commander in Chief for the time being under the Great Seal of this Province.

AND be it further Enacted by the authority aforesaid That the aforesaid Commissaries Shall be and hereby are fully Impowered and Authorized to take into their Care and Custody all the Provisions Cloathing Arms Ammunition and all other Articles Whatsoever That Still remain of what was provided by this Colony and what has been Contributed by the Colony of Pennsylvania for the use of the Forces employed on the late Expedition Against Crown Point together with all the Gun powder



which has been purchased by Virtue of Several Acts of the Legislature of this Colony and lodged in the Magazine of the City of New York which has not yet been drawn out and imployed by Virtue of any Subsequent Acts All which Several Articles Goods and Effects of every Kind or So much thereof as Shall be found Necessary they the Said Commissaries Shall imploy for the use of the Forces now Intended to be Engaged on the part of this Colony in another Expedition Against Crown Point

AND be it further Enacted by the same authority That the Treasurer of this Colony Shall out of the Money's to be Raised by Virtue of this Act Pay unto the Said Commissaries the Sum of Fifteen Thousand Five hundred Pounds to be by them imployed in Purchasing Such further Quantity of Provisions Cloathing Blankets Arms Ammunition and All other Necessary's of all kinds Whatsoever Which Shall be found further Necessary to be provided on the part of this Colony for Vigorously prosecuting the present intended Expedition Against Crown Point The Charges of Transportation by Land and Water Included, of the due disposition of all which Aforesaid Sums of Money they the Said Paymasters Shall Render just and True accounts on Oath to his Excellency the Governor or Commander in Chief for the time being the Council and General Assembly When by them or of them thereunto required

AND to the End that the Aforesaid Commissaries may be Encouraged TO do and perform the Several and respective Services by this Act Required to be done and performed by them respectively BE IT ENACTED by the Authority Aforesaid that the said Commissaries Shall be allowed to retain in their hands the Sum of Two pounds on every hundred Pounds they Shall imploy by Virtue of this Act and in that proportion for a greater or lesser sum as a Reward for their Care and Trouble in the Several and Respective Services hereby Required be done and performed by them

AND be it Enacted by the authority aforesaid that the Said Commissaries before they Receive any part of the Money's hereby directed to be paid unto them Shall Enter into Recognizances to our Sovereign Lord the King his Heirs and Successors before one of the Judges of the Supreme Court of this Colony in the Sum of Twenty four thousand Two hundred Pounds with Two sufficient sureties each in half that Sum Conditioned that they will well and Truly imploy and Apply the

Monies to be received by them as Aforesaid to and for the Several and Respective uses and Purposes directed by this Act and well and Truly to observe Do and perform all the Directions hereby required to be Observed done and performed by them According to the True Intent and Meaning of this Act Which Recognizances are to be filed and Recorded in the Supream Court

AND be it Enacted by the authority aforesaid That if either of the before named Commissaries Shall fail of Imploying and applying the Money so to be received by them in Manner and for the Respective uses directed by this act or Omit to Observe do and perform what is hereby Required to be observed done and Performed by them in Such Case or Cases the Said Recognizances Shall be proceeded upon in Due form of Law Against Such offender or offenders or his or their Sureties in the Supream Court of this Colony Wherein No Essoin Protection Wager of Law or more than one Imparllance Shall be allowed And the Money to be recovered in Consequence thereof Shall be paid into the Treasury of this Colony and be applied to and for Such Uses as Shall hereafter be directed by Act or Acts to be passed for that purpose

AND be it Enacted by the authority aforesaid That if either of the Said Commissaries shall happen to Die remove out of this Colony or Refuse to Act According to the Several and respective powers and Authorities hereby directed and Required it Shall and may be Lawfull to and for the Governor or Commander in Cheif for the time being by and with the Advice and Consent of his Majesties Council to Nominate and appoint Some other fit Person or Persons in the place and Stead of him or them So Dying Removing or refusing TO act as Aforesaid Any thing herein Contained to the Contrary Notwithstanding PROVIDED that the Person or Persons who Shall be appointed Shall be obliged to Enter into the like Recognizances with the like Sureties as herein is directed to be done by the Said Commissaries before he or they be Intitled to receive any part of the Money herein mentioned And in all Respects be as Subject to Observe do and perform the Several Directions of this Act as if he or they had been Named or appointed in it

AND Whereas it is apprehended that the Owners of Certain Species of Provisions may Endeavour to exact Exorbitant prices for the Same BE IT ENACTED by the Authority Aforesaid That the said Commissaries Shall Not give more or any higher

Rate for Pork than Three pounds Fifteen Shillings per Barrel nor more than Six Shillings per Bushel for Pease And if any Person or Persons having Such provisions to Sell Shall refuse to Sell the Same to the Said Commissaries at Such Rates It shall and may be Lawfull for the said Commissaries and they are hereby Authorized and Impowered to take and Seize So Much of the Said Provisions as they shall stand in Need of for the use of the Aforesaid Forces Immediately Paying for the same at the Said Rates in Ready money And in Case any Person or Persons Whatsoever Shall offer to obstruct hinder or prevent the Said Commissaries or their Agents properly Authorized from Taking and Carrying Away Any such provisions for the uses aforesaid he she or they so Offending Shall forfeit and Pay the Sum of One hundred Pounds to be Sued for and recovered by the Said Commissaries or any one of them in any of his Majesties Courts of Record in this Colony and lodged in the Treasury to be disposed of by Act or Acts hereafter to be passed for that purpose.

AND be it Enacted by the Authority Aforesaid that in Case the Forces Raised on the Aforesaid Service Shall happen to be disbanded or disbanded from the Said Service before the Provisions and other articles as aforesaid be expended then and in Such Case the Said Commissaries Respectively and in case of the Death or Removal of any of them Such person or Persons as Shall be appointed in his or their Stead Shall be and hereby are impowered and Required to Sell on account and for the benefit of this Colony all such of the Aforesaid Provisions and other articles as shall at the Time of Such disbanding and Dismission Remain Unexpended And all the Money Arising by such Sale They Shall Pay into the Treasury of this Colony there to remain untill the Same shall be disposed of by Act or acts hereafter to be passed for that Purpose

AND be it further Enacted by the Authority Aforesaid That the Treasurer Shall pay unto James Parker for Printing the Bills of Credit directed to be made Current by this Act the Sum of Twenty four Pounds

AND be it further Enacted by the Authority Aforesaid that the Aforesaid Several Sums of Money directed to be paid to the before Mentioned Commissaries Shall be paid by the Treasurer of this Colony at Such times and in Such proportions as shall be thought Necessary and Expedient by his Excellency the Governor or Commander in chief for the Time being by and

with the advice and Consent of his Majesties Council of this Colony for performing the Several and Respective Services directed by this Act.

AND as it is impracticable to have the aforesaid Sums of Money Collected So Soon as the present Exigencies Require **BE IT ENACTED** by the Authority Aforesaid that for making immediate Payment for the Services Aforesaid Bills of Credit to the Value of Fifty two thousand Pounds be forthwith Printed Made and Issued upon the Credit of the money to be Raised and Levied by Virtue of this Act and lodged in the Treasury for that purpose That is to Say Two thousand and Two hundred Bills of Ten Pounds Each Four thousand Bills of Five Pounds Each Two thousand Bills of Three pounds Each One thousand Bills of Two pounds Each and Two Thousand Bills of One Pound Each And upon every and Each of Which Bills shall be Impressed on the Right Side thereof the Arms of the City of New York And under the Arms in different Characters these Words **IT'S DEATH TO COUNTERFEIT THIS BILL** Which Bills shall be in the Form following that is to Say By a Law of the **COLONY OF NEW YORK THIS BILL SHALL PASS CURRENT FOR** NEW YORK THE TWENTIETH DAY OF APRIL ONE THOUSAND SEVEN HUNDRED AND FIFTY SIX Which Bills shall be Signed by Robert R Livingston, John Cruger, John Van Der Spiegel and William P Smith Esquires or any three of them and Numbered by one of them and in Case of the Death of any of the Said Persons the Said Bills shall be Signed by the Majority of the Survivors of them.

AND be it Enacted by the authority Aforesaid That Abraham De Peyster the present Treasurer of this Colony in whose hands the Stamps of the Arms of the City of New York and the other Plates are deposited shall in the Presence of the signers aforesaid or the major part of them deliver unto James Parker the said Stamps and Plates who is hereby Appointed to Print THE Said Bills and on them to Impress the said Arms and Plates Which when done the said James Parker Shall Redeliver to the Said Treasurer the Said Stamps and Plates in the presence of the signers Aforesaid or the Major part of them And the Receipt of the said Treasurer shall be to the Said Printer a Sufficient Discharge for the same And the Said Printer is hereby required and directed to deliver to the Signers hereby appointed to Sign the Said Bills every Bill of Credit by him printed and Shall upon his delivery of the said Bills take an oath in the

Words following VIZt; I A. B do declare that from the time the Letters were set and fit to be put into the Press for Printing the Bills of Credit now by me delivered to you untill the Bills were printed and the Letters afterwards distributed into the Boxes I went at no time out of the Room in which the said Letters were without Locking them up so that they Could not be come at without Violence a false Key or other art then Unknown to me And therefore to the best of My Knowledge no Copies were Printed off but in my Presence and that all the Blotters and other Papers whosoever impressed by the Said Letters whilst set for printing the said Bills to the best of my Knowledge are here delivered unto you together with the Stamps and in all things relating to this affair I have well and truly demeaned my Self according to the true Intent and Meaning of the Law in that Case made to the best of my Knowledge and Understanding. Which oath all and every of the Signers are hereby impowred directed and Required to administer

AND be it Enacted by the Authority Aforesaid that the persons herein appointed to Sign the said Bills of Credit Shall take an Oath before a magistrate of the City of New York Each of them Well and Truly to Perform what By this Act they are Enjoyed as their Duty And Will Knowingly Sign no more Bills of Credit than as by this Act is directed And if it Shall happen that any Supernumery Bills shall be left after the Said Number Shall be delivered to the said Treasurer in manner aforesaid all Such supernumery Bills Shall be Burnt and destroyed by the said Signers or the major part of them or by the majority of the Survivors of them in the presence of the Treasurer of this Colony

AND be it Enacted by the authority aforesaid that the Bills of Credit Enacted and appointed by this Act to be Current shall be received by the Treasurer of this Colony in all Publick Payments and for any Fund at any time in the Treasury and by any Person within this Colony in all Cases Whatsoever during the time they are Enacted to Continue And be as effectually CURRENT as any other Bills of Credit made Current in this Colony by any Act of the Governor Council and General Assembly

AND be it Enacted by the Authority Aforesaid That if any Person or Persons whatsoever Shall Counterfeit any of the



Bills of Credit made Current by this Act or Shall alter any of the Bills made Current as Aforesaid So that they Shall Appear to be of greater Value than by this Act the Same Bill or Bills So Altered were Enacted Signed or numbered to Pass Current for or Shall Knowingly pass or give in Payment any of the Bills Aforesaid So Counterfeited or altered Every Person guilty of Counterfeiting or Altering any of the Said Bills as aforesaid or of Knowingly Passing or giving in Payment any Such Counterfeit or Altered Bill Shall be guilty of Felony and being thereof Convicted Shall Suffer the Pains of Death without benefit of Clergy And though Such Counterfeiting Altering or Knowingly passing Counterfeit or Altered Bills Shall be done out of this Colony Yet any Grand Jury within the City and County of New York is hereby impowered to present the Same and to Set forth in the Indictment the place where by their Evidence it Appeared that the Fact was Committed Which Indictment is hereby declared good Notwithstanding that the place Alledged be out of this Colony And the Petty Juries on the Tryal of all Such Issues Shall be returned from the Body of the City and County of New York Any Law Usage or Custom to the Contrary Notwithstanding

AND be it Enacted by the Authority Aforesaid that the Bills of Credit made Struck and Issued by Virtue of this Act Shall be and Remain Current untill the first Tuesday in November which will be in the Year of our Lord One thousand Seven hundred and Sixty Six.

AND be it Enacted by the Authority Aforesaid that as the money to be raised Levied and Collected by Virtue of this Act Shall be Paid into the Treasury the Treasurer of this Colony for the time being Shall be and he is hereby directed and Required to use his utmost Endeavours to Exchange the Same for Bills of Credit made Current by this Act Which Said Bills So procured Shall be kept in the Treasury ready to be Cancelled in Manner as is directed in and by an Act Entituled "An Act for the more effectual Cancelling the Bills of Credit of this Colony" Passed in the Twenty first Year of his Majesties Reign.

AND Whereas it is proposed to make an offensive War Against the Indians who are Enemy's to his Majesty in Conjunction with the Colony's of New Jersey and Pennsylvania BE IT ENACTED by the Authority Aforesaid that whenever his Excellency the Governor or Commander in chief for the time being by and with the Advice of his Majesties Council Shall

Judge it Expedient to engage in an Expedition Against the Said Indians in Conjunction with the Aforesaid Two Colonys it Shall and may be Lawfull for his Excellency the Governor in Case Volunteers cannot be procured to Detach from the County's of Ulster and Orange Such number of able Bodied Men for the Said Service as Shall be Sufficient to Compleat the full Quota of this Colony of Such Number of Effective Men Not exceeding One thousand in the Whole as Shall be Judged Necessary for the Said Expedition to Act in Conjunction with the Forces of the Aforesaid Two Colonys, Always PROVIDED that the whole Number to be furnished by this Colony exceed not four hundred effective men including Commission officers.

AND be it further Enacted by the Authority Aforesaid That in Case any Person or Persons who Shall be detached as Aforesaid Shall Refuse the Said Service he or they So Refusing Shall be deemed Deserters and be proceeded Against and punished Accordingly

AND be it further Enacted by the Authority Aforesaid that the Aforesaid Forces So Engaged Against the Indians Shall in all Respects be under the like Rules and Regulations and be Subject to the like penalty's and Punishment as those who Shall be Engaged on the Expedition against Crown Point Contained in the Clause or Clauses of this Act provided against Mutiny and Desertion

AND be it further Enacted by the authority aforesaid that the Aforesaid Commissaries Shall out of the Moneys lodged in their hands by this Act provide for and Furnish the said Forces with a Sufficient Quantity of Provisions Suitable for such an Enterprize together with Powder and Ball and Pay unto each Able bodied Man Entering Voluntarily into the said Service the Sum of One Pound & fifteen Shillings on a Certificate from the officer under whom he or they be enlisted the Said Volunteers providing their own Arms and Blankets, any thing before Contained in this Act to the Contrary Notwithstanding.

AND be it Enacted by the Authority Aforesaid that the Aforesaid Forces (except Commission officers) Shall each of them have and receive two Shillings per Day and the Commission officers the same Pay as those Engaged on the Expedition Against Crown Point for the time they shall be in ACTUAL service on the Aforesaid Enterprize Which Money the Treasurer

is hereby directed to Pay out of the Money's to be raised by this Act according to proper Certificates Signed by the principal Commander of the Said Forces Containing the exact Number of Days each Person has been Actually employed in the Said Service, on Warrants Issued by his Excellency the Governor or Commander in Chief for the time being by and with the advice and Consent of his Majesties Council.

AND be it further Enacted by the authority aforesaid That when the Treasurer shall have paid all the Several Sums directed to be paid by this Act all the Residue of the Money to be raised by this Act Shall remain in the Treasury to be disposed of by Act or Acts hereafter to be passed for that purpose.

AND be it further Enacted by the authority aforesaid that the Treasurer shall keep exact Books of all his Receipts and Payments by Virtue of this Act and a true And just Account thereof Shall render on Oath to the Governor or Commander in Chief for the time being the Council and General Assembly when by them or any of them thereunto Required.

#### [CHAPTER 1010.]

[Chapter 1010, of Van Schaack, and chapter 89 (vol. 2) of Livingston & Smith where the title only is printed. See chapters 973 and 990. Expired January 1, 1758. Provided for by chapter 1061.]

An Act to continue an Act Entituled "An Act to prevent infectious Distempers being brought into this Colony and to hinder the Spreading thereof" with an addition thereto.

[Passed, April 1, 1756.]

WHEREAS the Act Entituled "An Act to prevent infectious Distempers being brought into this Colony and to hinder the Spreading thereof" will expire by its own Limitation on the third Day of May Next and the Same being Conceived Necessary

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly And it is hereby Enacted by the authority of the same That the Said act Entituled "An Act to prevent infectious Distempers being brought into this Colony and to hinder the Spreading thereof" And also the Act Entituled "An Act to explain an Act Entituled An Act to prevent infectious Distempers Being brought into this Colony and to hinder the Spreading thereof" passed the Eleventh day of Sep-

tember last Shall both be and hereby are Continued and every Clause Matter and thing in the said two Acts contained Enacted to be and remain in full force and Virtue to all Intents Constructions and purposes whatsoever from the said Third Day of May Next untill the first day of January which will be in the Year of our Lord One thousand Seven hundred and Fifty Eight

AND be it further Enacted that the Surgeon or Physitian Appointed by the Governor or the Commander in chief for the time being to Visit and Inspect any Vessell Suspected of having on Board any infectious Distemper Shall have for his Said Visitation or Inspection the sum of one pound Eight Shillings, Any thing in the beforementioned Acts to the Contrary Notwithstanding.

[CHAPTER 1011.]

[Chapter 1011. of Van Schaack, where the title only is printed. Chapter 90 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapters 575, 680, 795 and 888. Continued by chapter 1269.]

An Act to Revive the Several Acts therein mentioned.

[Passed, April 1, 1756.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same That the Act Entituled "An Act for the better Clearing Regulating and further laying out Publick HighWays in the County of Suffolk" Passed in the Sixth Year of his Present Majesties Reign And the Act Entituled "An Act to continue An Act Entituled An Act for the better Clearing Regulating and further laying out Publick highways in the County of Suffolk with Some Additions thereto" Passed in the Thirteenth Year of his Said Majesties Reign And also the Act Entituled "An Act to amend an act Entituled an act for the better Clearing Regulating and further laying out Publick Highways in the County of Suffolk" passed in the Nineteenth Year of his Said Majesties Reign shall be and hereby are Revived and Every the Clauses Articles Matters and things in the same Three Acts Contained Shall be and Remain in full force and Virtue to all Intents Constructions and Purposes Whatsoever from the publication hereof untill the first Day of January Which will be in the Year of Our Lord One Thousand Seven hundred and Sixty Five.

## [CHAPTER 1012.]

[Chapter 1012. of Van Schaack, where the title only is printed. Chapter 91 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapters 801 and 903. Continued by chapter 1291.]

**'An Act to Revive an act Entitled "An Act for the better Clearing Regulating and further laying out Publick highways in the County of Westchester" with Some alterations**

[Passed, April 1, 1756.]

**WHEREAS** an act Entitled "An Act for the better Clearing Regulating and further laying out Publick Highways in the County of Westchester" passed in the Nineteenth Year of his Majesties Reign Expired by its own limitation on the first Day of December last And the same having been found highly usefull

**BE IT ENACTED** by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same that the above mentioned Act Entitled "An Act for the better Clearing Regulating and further laying out Publick high Ways in the County of Westchester" Shall be and hereby is Revived and every Article matter and Clause therein contained Enacted to be and remain in full force from the Publication hereof untill the first day of January which will be in the Year One thousand Seven hundred and Sixty Six

**AND** be it further Enacted by the authority aforesaid That the Several Persons herein After Named to Wit

For Westchester and Fordham Edward Stevenson **ANTHONY BARTOW** and James Ferris Esquires

For Eastchester Charles Vincent Edward Burling and John Townsend Esquires

For New Rochelle and Pelham Col<sup>o</sup> Anthony Lispenard John Pell and Joseph Rodman Esquires

For Rye and White Plains Colonel William Willet Jonathan Brown and Gabriel Lynch Esquires

For Mamaroneck James Delancey John Gidney and Benjamin Griffin Esquires

For Bedford John Holmes Abraham Miller and Marcus Moseman Esquires

For North Castle George Dennis Joseph Fowler and Moses Quimby Esquires



For Salem Josiah Gilbert James Brown and Peter Benedict Esquires

For the Manor of Cortlandt Philip Verplanck John Hyat and Piere Van Cortlandt Esquires

For the lower part of the Manor of Philipsburgh Fredrick Phillips Nathaniel Underhill and James Van Cortlandt Esq's

For the upper part of said Manor William Davis Isaac Deane and Gilbert Drake Esquires

And for the East Patent and old Pound Ridge Rueben Lockwood John Crawford and Hezekiah Wood Esquires Shall be and hereby are appointed Commissioners to Regulate and lay out highways in the Said County for the places for which they are Respectively Appointed And Shall be and hereby are Vested with as full power and Authority for that end to all intents Constructions and purposes whatsoever as if they had been Actually named and Appointed IN and by the aforesaid Act Any thing in the Aforesaid Act to the Contrary Notwithstanding

#### [CHAPTER 1013.]

[Chapter 1013. of Van Schaack, and chapter 92 (vol. 2) of Livingston & Smith, where the title only is printed.]

'An Act for the more Speedy and effectual  
raising the Forces to be furnished by this  
Colony on the Expedition against Crown Point

[Passed, May 4, 1756.]

WHEREAS it may so happen that a Sufficient Number of Volunteers may not be timely procured to compleat the Number of Force to be furnished by this Colony on an Expedition against Crown Point by which means the Said Service may be retarded

BE IT ENACTED by his Excellency the Governor the Council and General Assembly and it is hereby Enacted by the Authority of the Same that in case the full Number of One thousand three hundred and fifteen effective men officers included do not enter Voluntarily before the publication of this Act it Shall and may be lawfull for his Excellency the Governor and he is hereby Enabled and impowered to Supply the deficiency by Detachments to be made from the Militia of the Several and Respective City's and County's of this Colony where such Deficiency may happen ALWAYS PROVIDED that no more

Men Shall be Detached from the Said Several Citys and County's than according to the following proportions VIZT. From the City and County of New York One hundred and Seventy Nine effective Men From Richmond County Thirty two effective Men From Kings County Thirty Seven effective Men From Queens County One hundred and Fifty five effective Men, From Suffolk County One hundred and Fifty Six effective Men from Westchester County One hundred and Seventy Eight effective men From Dutchess County One hundred and Seventy five effective Men And From the City and County of Albany Two hundred and Eleven effective Men All exclusive of Officers.

AND be it further Enacted by the Authority Aforesaid that the Several and Respective People and Persons who are exempted from Military Service in and by one Act of this Colony Entituled "An Act to Regulate the Militia of the Colony of New York" Passed in the Twenty Eighth Year of his Majesties Reign (The Several Branches of the Legislature and their Necessary officers His Majesty's Attorney General The Colony Treasurer High Sheriffs and Clerks of City's and County's Magistrates and Ministers of the Gospel only excepted Shall be and hereby are made Subject and liable to be Detached on the Aforesaid Service Any thing in the Said Act to the Contrary Notwithstanding.

AND be it further Enacted by the Authority Aforesaid that the Several and Respective Colonels or Next Commanding officers of the Several and Respective Regiments of Militia within this Colony where such deficiency Shall happen Shall forthwith after receiving his Excellency's Orders for Detaching the number of Men wanting from the said Several and respective County's according to the aforesaid proportions Send for all the Captains or next Commanding officers of all the Several Company's as well Regimented as un-Regimented Troops of Horse included of the said Several and respective County's to attend them at such time and place as the Said Colonels or next Commanding officers Shall Appoint with the Several and respective Lists of their Company's to which are to be added Lists of the aforesaid People and Persons exempted by the aforesaid Act From which Lists the several and Respective Colonels or next Commanding officers together with the other Field officers Shall proportion the Number of Men to be furnished by each Company Respect

lly according to the Numbers contained in the Said Lists and the Said Several and respective Captains or next Commanding officers for the respective County's And the Several and Respective Captains or Next Commanding Officers with the assistance of a Field officer for the City of New York Shall forthwith thereafter take the proper Measures for Detaching the Number Allotted to each Company respectively by such time as shall be Appointed by his Excellency for that purpose Each able bodied Man who has already or shall before the said Detachments be made enter Voluntarily into the Said Service out of any of the Said Company's to be allowed part of the Quota of such Company and if any dispute shall arise among any of the Said Company's concerning the Number of Volunteers entered into the said service out of the said Company's the Same Shall be examined into and finally Settled by the Respective Colonels or other Field officers of the County where the dispute may Arise

AND be it further Enacted by the Authority Aforesaid that when any of the Said Captains or next Commanding officers Shall order their Company's to meet in order to raise the Quota of Men allotted to them Respectively or such part thereof as may then be Wanting every Person duely Warned to appear either Personally or by Notice left at his place of Residence not only those belonging to the said respective Company's but Such also of the Aforesaid exempted Persons who dwell and reside within the Beats or Districts of any of the Said Captains who Shall not attend at Such time and Place as Shall be appointed by the said Captain or next Commanding officer respectively Shall Forfeit and Pay the Sum of Ten Pounds.

AND be it further Enacted by the Authority Aforesaid that if any Person or Persons so Detached Shall refuse the Said Service he or they so refusing shall be deemed Deserters and shall be proceeded against and Punished accordingly, ALWAYS PROVIDED that it Shall and may be Lawfull for any Person So detached as aforesaid to procure an able bodied Man to go in his Room or Stead and on his producing Such officer or officers appointed to Command the Company in which the Said Detached Person was to go he the Said detached Person shall be discharged from the Said Service

AND be it further Enacted by the Authority Aforesaid that if any Person or Persons within this Colony Shall after the orders for Making the Said Detachments Shall be issued and before the

Said Detachments be Completed Shall be found in any part of this Colony to which they do not belong and Shall Not be able to render a Satisfactory account of himself or themselves and the Business he or they are upon to the Captain of the District within whose Limits they shall be found It Shall and may be Lawfull for Such Captain or next Commanding officer to Detach Such Person or Persons on the aforesaid Service as part of the Number which he is to furnish out of his Company.

AND be it further Enacted by the Authority Aforesaid that in Case any Person or Persons Whatsoever Shall Harbour Secret or Conceal any Person detached (or inlisted) as Aforesaid And absenting himself from the said Service he She or they So Offending Shall forfeit the Sum of Twenty Pounds.

AND be it further Enacted by the Authority Aforesaid that if any Person or Persons Whatsoever Shall directly or indirectly obstruct the Said Detachments being Made or Shall discourage or hinder any Person from Inlisting Voluntarily in the Aforesaid Service or Shall under any pretence whatsoever Otherwise than by due process of Law detain any Such Person who either has already or Shall hereafter inlist Voluntarily or be Detached into the Said Service tho' the Said Person be Servant or Apprentice He she or they so offending Shall respectively forfeit the Sum of Fifty Pounds

And be it further Enacted by the authority aforesaid that if any Captain or next Commanding officer of a Company of Militia or any Person properly Authorized to inlist Volunteers on the aforesaid Service Shall be prosecuted by any Master or Mistress of a Servant or Apprentice for detaching or inlisting his her or their Servant or Apprentice into the Aforesaid Service or for retaining them in the said Service It Shall and may be Lawfull for Such officer So detaching or Such Person so inlisting or retaining Such Servant or Apprentice to plead the General Issue and give this Act in Evidence and the Plaintiff or Plaintiffs in Such Suit or Suits Shall Not recover on Such Suits but Pay all Costs.

AND be it further Enacted by the Authority Aforesaid that no More than one Person out of a Family Shall be detached and where anyone of a Family has already or Shall before the Said Detachments be completed enter Voluntarily into the Said Service no one Shall be Detached out of Such Family (Lodgers to be accounted no part of Such Family

AND be It further Enacted by the Authority Aforesaid that if any Colonel or Field Officer Shall Neglect or Omit to do what is enjoyned him or them by this Act they shall respectively forfeit the Sum of One hundred Pounds And any Captain or Subaltern officer or officers who shall Neglect to do what is enjoyned him or them by this Act he or they Shall Respectively forfeit the Sum of Fifty Pounds And every Non Commissioned officer who Shall Omit or Neglect the Service required of him by his Captain or Next Commanding officer in executing this Act Shall respectively forfeit the sum of Twenty five Pounds All which Forfeitures and all other forfeitures laid by this Act Shall be immediately levied on the Goods and Chattles of the Defaulters respectively or on the goods and Chattles of their Parents Masters or Mistresses by Warrant or Warrants Issued by one of the Judges of the Inferior Court of Common Pleas of the respective County or County's where the said Forfeiture Shall Arise or by one of the Judges of the Supream Court in the City of New York on due proof thereof Made before him Which Warrants Shall be directed to and Executed by the Sheriff or Sheriffs of the Several Cities and County's respectively The Said Forfeitures when levied Shall be paid into the hands of the Supervizors of the Said Respective County's or the City Treasurer of the City of New York respectively and be by them Applied in the repayment of Such Sum or Sums of Money as the people of the Said City or County's respectively either have or Shall raise by Voluntary Contributions Among themselves for encouraging Able bodied Men to enlist Voluntarily into the Aforesaid Service in Such manner as they the Said Supervizors or Mayor and Aldermen of the City of New York respectively Shall Judge Equitable And where no Goods or Chattles are to be found the Defaulter or Defaulters Shall be committed to Goal there to remain without Bail or Mainprize for the Space of Six Months or until the Said Forfeitures with all Costs and Charges Attending the Same Shall be fully Paid.

AND be It further Enacted by the Authority aforesaid that as Soon as the Western Frontiers are Secure from the Ravages of the Enemy And the proposed Expedition in Conjunction with the Colony's of New Jersey and Pensilvania at an end It Shall and may be Lawfull for his Excellency the Governor or the Commander in Chief for the time being to Augment the Forces raised by this Colony on the Expedition Against Crown Point



with Four hundred effective Men Volunteers officers included And in case Volunteers do not offer immediately then to Supply the deficiency by Detachments in the following proportions from the Several Citys & County's VIZT. From Ulster County One hundred and Twelve effective Men From Orange County Eighty four effective Men FROM the City and County of New York Thirty three effective men From Dutchess County Thirty two effective Men From Westchester County Thirty three effective Men From Kings County Seven effective Men From Queens County Twenty Eight effective Men From Suffolk County Twenty Eight effective Men From Richmond County Six effective Men and from Albany Thirty Seven effective Men Which Detachments Shall be made in like Manner and under the like Restrictions Rules Regulations and Forfeitures as are before Contained in this Act And the Commissaries for paying and Victualling the Forces of this Colony on the Expedition Against Crown Point are hereby impowered out of the Money's in their hands to provide for and Pay the Said Four hundred Men in like Manner in all respects with the other Forces of this Colony Including the respective Bountys of Five Pounds for each Able bodied Volunteer and the Sum of Twenty Shillings to each officer for raising the Said Volunteers.

And Be it Enacted by the Authority Aforesaid that all the Forces detached or raised by Virtue of this Act Shall be Subject in all Cases to the like Pains and Penalties as the other Forces raised in this Colony to be employed on an Expedition for reducing the French Fort at Crown Point are Subject and lyable to.

[CHAPTER 1014.]

[Chapter 1014, of Van Schaack, and chapter 93 (vol. 2) of Livingston & Smith, where the title only is printed. See chapter 989. Livingston & Smith and Van Schaack, state that this act was superseded by an act of parliament passed, December 2, 1750, commonly called the provision act, which extended to all the counties in America.]

An Act to Revive an Act Entituled An Act more effectually to Restrain the exportation of Provisions and Warlike Stores from the Colony of New York with an Alteration thereto.

[Passed, May 4, 1754.]

WHEREAS an Act Entituled "An Act more effectually to restrain the Exportation of Provisions and Warlike Stores from

the Colony of New York" passed in the Twenty Ninth Year of his present Majesty's Reign did Expire by its own Limitation on the Eleventh day of October last and it Appearing Necessary at this Critical and Extraordinary Conjunction that the Same be Revived

BE IT THEREFORE Enacted by his Excellency the Governor the Council and the General Assembly And it is hereby Enacted by the Authority of the same that the said Act Entituled "An Act more effectually to Restrain the Exportation of Provisions and Warlike Stores from the Colony of New York" Shall be and hereby is Revived and every Article and Clause therein contained Except the fourth enacting clause therein relating to the supplying Spanish Garrisons with Provisions Enacted to be of Force from the Publication hereof for the term of twenty one days, and after the Expiration of the said term of twenty one days from the time that the Legislature of the Colony's of New Jersey and Pensilvania Shall respectively pass Laws for the like purposes and Shall be of equal Continuance and Duration with the Said Laws provided they exceed not the Space of three Months.

[CHAPTER 1015.]

[Chapter 1015, of Van Schuick, and chapter 04 (vol. 2) of Livingston & Smith, where the act is printed in full. Amended by chapter 1378.]

An Act to Enable the Inhabitants of the Manor of Cortland in the County of Westchester to Elect two additional Constables.

[Passed, May 4, 1756.]

WHEREAS the Inhabitants of the Manor of Cortland having by Act of this Colony a power to Elect only One Constable and the Said Manor being Since Considerably increased in Number of Inhabitants and Settlements a greater Number Appears now Necessary

BE IT THEREFORE Enacted by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same that from and After the publication of this Act it Shall and may be lawfull to and for the Inhabitants of the Manor of Cortland Aforesaid at their Annual Meetings for the Election of Manor officers to Elect and Chuse two additional Constables One of which Constables to be

Elected and Chosen from and out of Such of the Inhabitants as have habitations at or near Hudsons River And the other from and out of Such of the Inhabitants as have habitations on the Eastern parts of the Said Manor Any Law Usage or Custom to the Contrary in any wise Notwithstanding

[CHAPTER 1016.]

[Chapter 1016, of Van Schaack, and chapter 96 (vol. 2) of Livingston & Smith, where the title only is printed. See chapter 978. Amended by chapter 1044. Repealed by chapter 1084.]

An Act to limit and ascertain the Rates to be taken for Carriages employed or impressed into his Majesties Service in this Colony

[Passed, May 5, 1756.]

WHEREAS great difficulty's have and do dayly Arise for want of having the Rates to be taken for Carriages made use of in his Majesties Service in this Colony limited and Ascertained

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same that from and after the publication of this Act no more or higher Rate or Rates Shall be taken by any person or Persons whatsoever either employed or impressed into his Majesties Service with a Waggon and Two Horses Providing Provender for his own Horses than as follows VIZT.

Going from the place from whence they shall be taken And returning to the Same Nine Shillings for every Thirty Miles and in that proportion for a greater or lesser Number of Miles.

From the City of Albany to Fort Edward Northward Ten Shillings per Day.

From the Said City to Schenectady Westward Nine Shillings per Day.

For every Day they shall be employed beyond Fort Edward Northward Twelve shillings per Day. And for every Day they shall be employed beyond Schenectady Westward Ten Shillings per Day Any Law Usage or Custom to the Contrary Notwithstanding.

## [CHAPTER 1017.]

[Chapter 1017, of Van Schaack, and chapter 93 (vol. 2) of Livingston & Smith, where the title only is printed. Revised and extended by chapter 1043.]

An Act for the better apprehending and  
Securing Deserters from his Majesties Forces  
in America.

[Passed, July 9, 1750.]

WHEREAS Several Soldiers and others being duly Listed or in the Actual Pay and Service of the Kings Majesty in America do afterwards Desert and are often found Wandering or otherwise Absenting themselves illegally from his Majesties Service and Sometimes in Body's with their Arms to the great Terror of the Magistrates Civil officers and other the Inhabitants of this Colony who are thereby deterred from endeavouring to apprehend or Secure Such Deserter or Deserters WHEREFORE for the better Apprehending and Securing Such Deserter or Deserters to the end they may be proceeded against according to Law

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same That if any Person or Persons who may reasonably be suspected of Desertion from his Majesties Service as aforesaid Shall be found in any City or County of this Colony Wandering or otherwise Absenting from his Majesties Service that all and every of his Majesties Justice or Justices of the Peace Sheriffs Constables and other Civil officers are hereby directed and Required to use their best and Utmost diligence and endeavours to apprehend or cause to be apprehended Such person or Persons So Suspected of Desertion from his Majesties Service as aforesaid And in Case Such person or Persons So Suspected of Desertion Shall be found with Arms or by reason of their Number or otherwise it May justly be feared to be dangerous to attempt so apprehend him or them without an Armed Force That then the Next Commanding Officer & Officers of the Militia of the County where any such Person or Persons Shall be found Suspected of Desertion as aforesaid Upon Application to him or them by any the Said Justice or Justices of the Peace Sheriffs Constables or other Civil officers

or any of them for that Purpose Shall immediately upon Such Application to him or them made as Aforesaid Summon and call together So many of the Militia under his or their Command well armed as by him Shall be thought Necessary and Convenient for the apprehending Such Person or persons So Suspected of Desertion as aforesaid And shall together with the said Militia well armed as aforesaid upon such Application or Applications to him or them made as Aforesaid with all diligence proceed to the Aid and Assistance of the said Justice or Justices sheriffs Constables or other Peace Officers aforesaid So calling for and requiring the Assistance of the Said Militia in order to apprehend and Secure Such Person or Persons So Suspected of Desertion as aforesaid And if Such Person or Persons So Suspected of Desertion shall refuse to Surrender and deliver up himself or themselves together with their Arms to Such Commanding Officer of the Militia as aforesaid being first Required So to do by such COMMANDING officer of the Militia or by any of his Majesties Justices of the Peace Sheriffs Constables or other peace officers but Shall Resist or offer to Resist and Stand upon his or their defence that then it Shall and may be Lawfull for the Said Officer of the Militia and those under his Command as Aforesaid by order of Such their Commanding Officer who is hereby impowered and Required if Necessary to give Such Orders to fire upon Kill and destroy Such Suspected Deserter and Deserters that Shall refuse to Surrender up himself or themselves as aforesaid

AND be it further Enacted by the authority aforesaid that Such Person or Persons and every of them that shall be Apprehended as a Deserter or Deserters as aforesaid Shall forthwith be conveyed by the Person or Persons So apprehending him or them before any Justice or Justices of the Peace of the County Where such Person or Persons Shall be so Apprehended which Said Justice or Justices Shall examine the Person or Persons So Apprehended and if by his or their own Confession or by the Testimony of one or more Witness or Witnesses upon Oath or by the Knowledge of Such Justice or Justices it Shall appear to Such Justice or Justices or be found that Such Person or Persons is or are a Deserter or Deserters from his Majesties Service the Said Justice or Justices of the Peace Shall forthwith cause Such Deserter or Deserters together with his or their Arms and Accoutrements if any such there be to be conveyed and de-



delivered to the Care and Custody of the keeper of the Common Goal of the City or County where such Deserter or Deserters shall be Apprehended and Transmit an Account thereof to the Commander in chief for the time being of his Majesty's Forces in America or To the Commander in chief of this Colony, to the Colonel of the Regiment or to the Captain or other Superiour officer of the Company to which Such Deserter or Deserters belong And the Keeper of the Said Goal is hereby required Safely to Keep the said Arms and Accoutrements So to him delivered in his care and Custody and also the Said Deserter and Deserters in the said Common Goal And them Shall deliver upon demand together with the Arms and Accoutrements aforesaid to the Colonel or chief Officer of the Regiment or to the Captain or other Commanding Officer of the Company to which Such Deserter or Deserters Shall respectively belong Or to any party of Men by him them or any of them Commissioned or empowered to Receive Such Deserter or Deserters Upon being paid the full Subsistence of Such Deserter or Deserters during the time that he or they shall continue in his Custody Which Subsistence the Keeper of such Goal shall receive for the Maintenance of Such Deserter or Deserters whilst in his Custody but shall not be intitled to any Fee or Reward on account of the Imprisonment of Such Deserter or Deserters Any Law Usage or Custom to the Contrary Notwithstanding

PROVIDED Always and be it Enacted by the authority aforesaid That IF any Justice of the Peace The Commanding officer of the Militia the Sheriff of the City or County where Such Person or Persons So Suspected of Desertion as Aforesaid shall be found the Keeper of the City or County Goal or any of them shall refuse or neglect any of the duties and Services respectively required of them by this Act that then each and every of them So Refusing or Neglecting shall for each and every of their respective offences forfeit and Pay the Sum of Twenty Pounds Which Said Penalty shall and may be recovered together with full Costs of Suit by Action of Debt Bill Plaint or Information in his Majesties Supreme Court of Judicature for this Colony in which No Escoign Priviledge Protection or Wager of Law or more than one Imparllance shall be allowed one Moiety of which Said Penalty shall be Paid to the Treasurer of the City or Connty where the same shall happen for the use of the Said City or County And the other Moiety thereof

to the use of him her or them who Shall Respectively Sue for the Same And in case any Constable or Constables or other Civil or Peace officer Shall refuse or Neglect his Duty or Service by this Act required or any of the Militia of this Colony Shall refuse or Neglect to obey his Superior Officer in Such Duty and Service by this Act Required of the Said Militia every Person and Persons So offending Shall for every of his and their respective offence or offences forfeit and Pay the sum of Ten Pounds and upon Conviction of his or their offence or offences herein by the Oath of one or More Credible Witness or Witnesses before any of his Majesties Justices of the Peace for this Colony the Said Justice shall by Warrant under his Hand and seal cause the Said Penalty and Penalty's to be levied by distress and Sale of the Goods and Chattles of the offender or offenders One Moiety thereof to be paid to the Informer and the other Moiety to the Treasurer of the City or County where the Same Shall happen for the use of the said City or County And in case Such offender So Convicted as aforesaid Shall not have Sufficient Goods and Chattles Whereon Distress may be Made as aforesaid to the Value of the Penalty or Penalty's recovered against him for such his offence or offences or Shall Not Pay Such Penalty or Penalty's within Four Days after such his Conviction then and in Such Case Such Justice of the Peace Shall and may by Warrant under his Hand and Seal either commit Such offender to the common Goal there to remain without Bail or Mainprize for the Space of three Months or Cause Such offender to be Publicly Whipt at the Discretion of Such Justice.

AND PROVIDED ALSO and be it further Enacted by the authority Aforesaid That if any Person Shall harbour Conceal or assist any Deserter from his Majesties Service as Aforesaid knowing him to be such the Person So Offending shall forfeit for every such offence the Sum of Twenty five Pounds or if any Person Shall knowingly detain Buy or Exchange or otherwise receive any Arms Clothes Hatts Caps or other Furniture belonging to the King or furnished and provided by this Colony or any other of his Majesty's Colony's in America from any Soldier or Deserter upon any pretence Whatsoever or CAUSE the colour of Such Clothes to be changed the Person so offending herein Shall forfeit for every such offence the sum of Five Pounds and upon Conviction by the Oath of one or More Credible

Witness or Witnesses before any Justice or Justices of the Peace for this Colony the Said respective Penalty and Penalty's of Twenty five Pounds and Five Pounds Shall be levied by Warrant under the Hand and Seal or Hands and Seals of the said Justice or Justices of the Peace by distress and Sale of the Goods and Chattles of the offender One Moiety of the said first Mentioned Penalty of Twenty five pounds to be paid To the Treasurer of the City or County where the same shall happen for the use of the said City or County The other Moiety to the Informer by whose means such Deserter shall be Apprehended And one Moiety of the last mentioned penalty of Five Pounds to be paid to the Informer of the Offence for which the said last Mentioned Penalty is inflicted And the other Moiety to be paid to the Officer to whom any Such Deserter or Soldier did belong And in case any Such Offender who Shall be convicted as aforesaid of harbouring or assisting any such Deserter or Deserters or having knowingly received any Arms Clothes Hatts Caps or other furniture belonging to the King or furnished or Provided in this Colony or by any other of his Majesties Colony's in America or having Caused the Colour of Such Clothes to be changed contrary to the Intent of this Act Shall not have any Goods and Chattles whereon distress may be made to the Value of the Penalty or Penalty's recovered Against him or her for such offence or Offences or shall not pay such Penalty's within Four Days after such Conviction then and in such case such Justice of the Peace shall and May by Warrant under his hand and Seal either commit Such offender to the common goal there to remain without Bail or Mainprize for the Space of three Months or cause Such Offender to be publickly Whipt at the discretion of such Justice.

AND be it further Enacted by the authority aforesaid That if any Action Bill Plaint or Suit Shall be brought against any Person or Persons for any Act Matter or thing to be Acted or done in pursuance of this Act that it Shall and may be Lawfull to and for all and any Person or Persons Sued as Aforesaid To plead thereunto the General Issue that he or they are not guilty and to give such special Matter in Evidence to the Jury which shall try the Issue Which Special matter being pleaded had been a good and Sufficient Matter in Law to have discharged the said Defendant or Defendants of the Matter laid to his or their charge And if the Verdict Shall Pass with the Defendant or De-

defendants in any Such Action the Plaintiff or Plaintiffs therein become Nonsuit or Suffer any discontinuance thereof that in every Such Case the Justice or Justices or Such other Judge before whom the Said Matter shall be Tried Shall by Force and Virtue of this Act allow unto the Defendant or Defendants his or their Treble Costs which he or they Shall have sustained by reason of their Wrongful Vexation in defence of the Said Action or Suit for which the Said Defendant or Defendants, shall have the like Remedy as in other cases where Costs by the Laws are given to Defendants.

AND be it further Enacted by the authority aforesaid That this Act shall be of Force from the Publication hereof untill the first Day of January Which will be in the Year of our Lord One thousand Seven hundred and fifty Seven

[CHAPTER 1018.]

[Chapter 1018. of Van Schaack. and chapter 97 (vol. 2) of Livingston & Smith, where the act is printed in full.]

An Act more effectually to Suppress and prevent the Counterfeiting of the Paper Currency of this Colony.

[Passed, July 9, 1756.]

**WHEREAS** It appears by the Confession of Owen Sullivan lately Executed for Counterfeiting the Bills of Credit of this Colony that there are sundry Plates Engraved in imitation and Semblance of the Plates of this Colony and many other Implements and Materials concealed by his accomplices in order to carry on that pernicious Practice with which they have already Counterfeited many Bills of Credit of this Colony particularly the Emission of the Twenty fifth of March One thousand Seven hundred and fifty five which lie yet Concealed **AND WHEREAS** the well-being and preservation of this Colony does in a great measure depend on the good Credit and Reputation of its Paper Emissions

**BE IT THEREFORE** Enacted by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same that if Any person or Persons Shall be detected in Concealing or aiding to Conceal Such Plates Bills Materials or Implements or any of them Shall be found

In his her or their possession and Custody or any Person or Persons hereafter Shall Engrave or otherwise Contrive any such Plate or Plates Materials or Implements or in any wise aid or assist in Counterfeiting the paper Currency of this Colony Such Person or Persons Shall for any such Offence (being thereof Convicted) Suffer the pains OF Death without benefit of Clergy as in Cases of Felony any Law usage or Custom to the Contrary Notwithstanding

## [CHAPTER 1019]

[Chapter 1019. of Van Schaack, and chapter 98 (vol. 2) of Livingston & Smith, where the title only is printed. See chapter 979. Expired July, A. 1757. Provided for by chapter 1036.]

An Act to Continue an Act Entitled "An Act to Prohibit the Sale of Rum or any other Strong Liquors to Any Indian or Indians within the City or County of Albany Excepting at the Trading House at Oswego and to prevent the Buying Exchanging or Taking in Pawn of or from any of the Said Indians any Arms Ammunition or Clothing

[Passed, July 9, 1756.]

WHEREAS an Act Entitled "An Act to Prohibit the Sale of Rum or any other Strong Liquors to any Indian or Indians within the City or County of Albany excepting at the Trading House at Oswego And to prevent the Buying Exchanging or taking in Pawn of or from any of the Said Indians any Arms Ammunition or Cloathing" passed in the Twenty Ninth Year of his Majesties Reign will expire by its own limitation on the Fifth day of this Instant July And the Said Act being found greatly for his Majesties Service

BE IT THEREFORE Enacted by his Excellency the Governor the Council and the General Assembly And it is hereby Enacted by the Authority of the Same that the Above Mentioned Act Shall be and hereby is Continued And every Clause Article Matter and thing therein Contained Enacted to be and Remain in full Force and Virtue to all intents Constructions & purposes Whatsoever from the said Fifth Day of this Instant July untill the fifth day of July which will be in the Year One thousand Seven hundred and fifty Seven



## [CHAPTER 1020.]

[Chapter 1020, of Van Schaack, where the title only is printed Chapter 99 (vol. 2) of Livingston & Smith, where the act is printed in full.]

**An Act to Impower the Justices of Westchester Suffolk Queens Kings and Richmond County's respectively to bind out Such of his Majesties Subjects commonly called Neutral French as have been removed from Nova Scotia to this Colony and distributed into the Said County's.**

[Passed, July 9, 1758.]

**WHEREAS** It has been judged Necessary for his Majesties Service to remove his Subjects of Nova Scotia commonly called Neutral French from thence to Some other of his Majesties Colony's and in Consequence thereof a certain number has been received into this Colony Poor Naked and destitute of every convenience and Support of Life To the End that they may not continue as they now really are useless to his Majesty themselves and a Burthen to this Colony

**BE IT ENACTED** by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That his Majesties Justices of the peace of the said Several and respective County's or any two of them one Whereof to be of the Quorum shall be and hereby are impowered and Required to bind out into Reputable Families Such of them as are not arrived to the age of Twenty one Years for such a space of time as the said Justices shall Judge proper not exceeding the time they shall respectively attain the age of Twenty One Years during which time they shall be Obliged faithfully and Industriously to discharge their Service as other Indented Persons within this Colony are

**AND** be it **PROVIDED AND ENACTED** That if any Such Person or Persons within the age of TWENTY one Years are already become usefull Subjects and are able to Maintain themselves by their labour without Continuing a Burthen to the publdick then the respective Justices Shall by this Act have no power to bind out any Such Person or Persons but are directed and Required to leave them to Support themselves by their own Industry & Labour.

AND be it further Enacted by the Authority Aforesaid that the Said Justices are hereby directed & Required to treat the said People committed to their Care with all the Justice in their power Observing to make the most favourable Contracts for them both as to time of Service and the Consideration to be paid them when their time of Service Shall be Expired Whether it be in Implements of Trade Cloathing or other Gratuity.

[CHAPTER 1021.]

[Chapter 1021. of Van Schaack, and chapter 100 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 416.]

An Act to Enforce and Render more Effectual an Act Entituled "An Act to prevent Vagrant and Idle Persons from being a Charge and Expence to any the County's City's Towns Manors or Precincts within this Province

[Passed, July 9, 1756.]

WHEREAS in and by the aforesaid Act Entituled "An Act to prevent Vagrant and Idle Persons from being a charge and Expence to any the County's Cities Towns Manors or Precincts within this Province" passed in the Seventh Year of the Reign of his late Majesty King George the First It is provided and Enacted that every Master of any Ship or Vessel that should enter in his Majesties Custom House within the City of New York Should within Twenty four Hours after his arrival make Report to the Mayor of the said City for the time being of all and every Person or Persons that he should bring in his Ship or Vessel not Shipped as a Sailor on Board of his Said Ship or Vessel under the penalty & Forfeiture of Five Pounds Current Money of New York Which penalty being conceived too Small

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same that every Master of any Ship or Vessel who shall enter in his Majesties Custom House in the City of New York and shall not Make Report as directed by the Aforesaid Act shall respectively forfeit and Pay the sum of Ten Pounds and if any Person so neglected to be Reported to the Mayor of the said City as directed by the Act aforesaid shall be a Foreigner the Master of any Ship or Vessel so neglecting to make Report as aforesaid of such Foreigner shall forfeit the

sum of thirty pounds And any Householder who shall entertain in his House or Family any such Foreigner and not make the same known to the Mayor of the said City within twenty four hours after he shall receive such Foreigner into his House or Family shall forfeit the sum of five pounds the said respective forfeitures, to be recovered and applied as is directed in the Said Act Any thing in the Said Act to the Contrary Notwithstanding.

[CHAPTER 1022.]

[Chapter 1022, of Van Schaack, and chapter 101 (vol. 2) of Livingston & Smith, where the title only is printed. See chapter 983. Expired January 1, 1757.]

An Act to Continue an act Entitled an act to prevent the Exportation of Provisions Naval and Warlike Stores from the Colony of New York to Cape Breton or to any other the Dominions of the French King or places at present in possession of any of his Subjects

[Passed, July 9, 1756.]

WHEREAS an Act Entitled "An Act to prevent the Exportation of Provisions Naval and Warlike Stores from the Colony of New York to Cape Breton or to any other the Dominions of the French King or places at present in possession of any of his Subjects" passed in the Twenty Ninth Year of his Majesties Reign will Expire by its own Limitation on the fifth day of this Instant July and the said Act being found greatly for his Majesties Service,

BE IT THEREFORE Enacted by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the authority of the Same that the aforesaid Act Entitled "An Act to prevent the Exportation of Provisions Naval and Warlike stores from the Colony of New York to Cape Breton or to any Other the Dominions of the French King or places at present in possession of any of his Subjects" Shall be and hereby is continued. And every Clause Matter and thing therein Contained Enacted to be and Remain of full Force and Virtue to all Intents Constructions and purposes whatsoever untill the first Day of January which will be in the Year of Our Lord One thousand Seven hundred and fifty Seven.

## [CHAPTER 1023.]

[Chapter 1023, and chapter 102 (vol. 2) of Livingston & Smith, where the title only is printed. Livingston & Smith and Van Schaack state that this act was confirmed by the king.]

An Act for Enabling the Surviving Executors of the last Will and Testament of Philip Van Cortlandt Esquire to Sell and dispose of So much of the Real Estate whereof he Died Seized as will be Sufficient to Pay his Debts.

[Passed, July 9, 1736.]

WHEREAS the Said Philip Van Cortlandt in his life time and at the time of his Death was Seized in his Demesne as of Fee of and in a Very Considerable real Estate Situate lying and being in the Manor of Cortland in the County of Westchester and Colony of New York consisting of a great Number of Farms or Plantations as also of other Real Estate of a Considerable Value within the City and Province of New York And by his last Will and Testament in Writing by him Made and Executed in his Life time in the presence of three Credible Witnesses pursuant to the directions of the Statute in that behalf made and provided and bearing date the Twenty first Day of August One thousand Seven hundred and Forty Six d.d after the payment of his Debts and Funeral Charges Give Devise and dispose of his Real Estate to and Among his Four Sons therein Named (to Wit) One part thereof to his Son Stephen for Life Remainder to his Eldest and every other Son and Sons in Tail Male with Remainders Over Other part thereof to his Son Abraham for Life Remainder to his Eldest and every other Son in Tail Male with Remainders over Other part thereof to his Son John for Life Remainder to his first and every other Son or Sons Successively in Tail Male with Remainder over And other part thereof to his Son Pierre for his Life Remainder to his first and every other Son and Sons and their Heirs in Tail Male with Remainders over And Made his Said Sons Executors thereof AND after making the Same d.d Die without revoking or altering the Said Will as by the Said Will Appears AND WHEREAS Abraham Van Cortlandt

and John Van Cortlandt two of the Sons and Devisees of the Said Philip Van Cortlandt are also Dead without Issue Male and the Estate of Inheritance Lands Tenements and Hereditaments whereof the Said Philip Van Cortlandt Died Seized and which are Devised in and by his said last Will are now Vested in Stephen Van Cortlandt and Pierre Van Cortlandt for and during the Terms of their Natural Lives only so that the Freehold and Inheritance thereof cannot be sold or disposed of by them or either of them for and towards the Payment of the Debts or of any part thereof which were due and Owing by and from the Said Philip Van Cortlandt the Testator in his life time and at the time of his Death AND WHEREAS the Said Stephen Van Cortlandt and Pierre Van Cortlandt by their Humble Petition presented to the General Assembly Reciting the Said last Will and Testament of the Said Philip Van Cortlandt And therein Also Setting forth that he the Said Philip Van Cortlandt in his life time was greatly Indebted to Sundry PERSONS in diverse and large Sums of Money which remained due and unpaid at the time of his Death as by a Schedule or Inventory of the said Debts together with the Names of the persons to whom the Same were due and the Dates thereof and the Interest incurred and due on and for the Same So far as the Said Debts had then come to their Knowledge Annexed to their Said Petition And which in the whole doth Amount to the Sum of Four thousand two hundred and fifty three pounds four Shillings and Nine pence One farthing Might appear AND further Setting forth that they were unable to pay the Said Debts for want of Personal Assets of their Said Testator And that they or one of them had from time to time paid the Interest Money due on Some of the Said Securities and engaged a Considerable part of their own Private Fortunes for Securing other parts thereof and declaring themselves willing to discharge the whole thereof if they had assets Sufficient for that purpose And further that they had been threatened by Sundry of the Creditors with Suits both in Law and Equity for Recovery of their Respective Debts and as they had no Means or possibility whatsoever of Paying the Same without a Sale of Such part of the Real Estate whereof the Said Philip Van Cortlandt Died Seized as Aforesaid as would be Sufficient



for that purpose they therefore prayed the General Assembly to pass a Bill for the Sale of so much of the said Real Estate lying in the said Manor of Cortlandt as would be Sufficient for that purpose AND WHEREAS upon due Examination of the matters Set forth and Contained in the Said Petition it fully appears that the Allegations therein Set forth are true and that the Said accounts of Debts So delivered in by the Petitioners with their Said Petition is a just and true account of the Debts which were due and Owing by and from the Said Philip Van Cortlandt in his life time to the Several Persons therein Named and the same were remaining due and Owing from and Chargeable on his Estate at the time of his Death AND WHEREAS it is Consonant to Justice and Equity that the Estate whereof the said Philip Van Cortlandt Died Seized and possessed Should be liable to & Chargeable with the Payment of his Debts And for as much as no part of the said Real Estate can be sold or disposed of by the Heir Executors or Devisees in the Said Will Named for Payment thereof by means whereof the Creditors of the Said Philip Van Cortlandt now living and the Representatives of those who are Dead will and must be greatly and unreasonably delayed and be enforced to commenceundry Expensive Suits for the Recovery of their Said Debts which would not only be very inconvenient to the Said Creditors but greatly prejudicial to the Interest of the Devisees of the Said Real Estate by incumbering the same with a very heavy Load of Costs & Expences and thereby lessening their Interest therein for preventing of all which inconveniences and in order that such Part only of the Said Real Estate whereof HE the Said Philip Van Cortlandt Died Seized as will be least inconvenient to the Interest of the Devisees in the said Will Named and for the more Speedy Payment of his Debts may be sold for that purpose

BE it therefore Enacted by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same That it Shall and May be Lawfull to and for the said Stephen and Pierre Van Cortlandt and the Survivor of them and they and the Survivor of them are and is hereby fully Authorized and Impowered to make Seal and Execute good and Sufficient Deeds in the Law and thereby to Grant Bargain Sell and Convey the Fee Simple and Inheritance

of Such a part and So much of the Real Estate whereof he the said Philip Van Cortlandt Died Seized Seituate and being in the said Manor of Cortlandt as will amount to the Sum of Four thousand Two hundred Fifty three Pounds Four Shillings and Nine pence One Farthing As likewise to the amount of the sum of Eight hundred Pounds to defray the Expences of Solicitations and make good the Interest that must inevitably become due before money's can be raised from the said Estate Sufficient to discharge the Said Debts And no more by way of Publick Vendue to the Highest Bidder for Ready money or Otherwise To be by them or the Survivor of them applied for and towards the Payment & Satisfaction of the Debts So remaining due as aforesaid Which Deed or Deeds So to be made and Executed in pursuance of and by Virtue of this act Shall be good effectual and Available in the Law to the Purchaser or Purchasers thereof his her and their Heirs and assigns forever And he she or they and their Heirs Shall forever thereafter hold and enjoy the Same Against the Devisees of the said Philip Van Cortlandt and against all and every other Person and Persons claiming or to claim by from or under the last Will and Testament of the said Philip Van Cortlandt or any matter clause Devise or Limitation or any other Matter or thing therein contained to the contrary in any wise notwithstanding, saving nevertheless the Right of his Majesty his heirs and Successors all Bodies politick or Corporate and of all other Persons, except such as are mentioned in this act and those claiming by from or under them.

PROVIDED ALWAYS and be it further Enacted that before any such sale shall be Made they the Said Stephen and Pierre Van Cortlandt or the survivor of them Shall cause the Day to be fixed for the sale thereof to be advertized in the Publick News Papers of this Colony at least Thirty Days before the same shall be exposed to sale as Aforesaid PROVIDED LIKEWISE That this Act nor anything therein contained shall be of Force untill his most Sacred Majesty shall be Graciously pleased to give his Royal assent thereunto

## THE TWENTY-SEVENTH ASSEMBLY

*Eighth Session.*

(Begun Sept. 21, 1756, 30 George II, Sir Charles Hardy,  
Governor.)

## [CHAPTER 1024.]

[Chapter 1024, of Van Schaack, where the title only is printed. Chapter 193 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapters 972 and 996, 1012 and 1018.]

An Act further to Continue an Act Entitled An Act for Regulating the Militia of the Colony of New York and for Continuing An Act Entitled An Act to continue an Act Entitled an Act for Regulating the Militia of the Colony of New York with Some Additions thereto

[Passed, November 27, 1756.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same that one Act Entitled "An Act for Regulating the Militia of Colony of New York" Passed in the Twenty Eighth Year of his Majesties Reign as also one other Act Entitled "An Act to continue an Act Entitled An Act for Regulating the Militia of the Colony of New York with Some additions thereto" passed in the Twenty Ninth Year of his Majesties Reign Shall be and hereby are continued and every Clause Article Matter and thing therein contained Enacted to be and Remain in full force and virtue to all Intent Constructions and purposes whatsoever from the first Day of January Next untill the first Day of January which will be in the Year of our Lord One thousand Seven hundred and Fifty Eight

## [CHAPTER 1025.]

[Chapter 1025, of Van Schaack, and chapter 94 (vol. 2) of Livingston & Smith, where the title only is printed.

An Act to Enable Humphry Ivory of the County of Suffolk to Sell and Dispose of his Real Estate in the said County by Way of Lottery for the Payment of his Debts

[Passed, November 27, 1756.]

WHEREAS Humphry Ivory of the County of Suffolk in his humble Petition presented unto the General Assembly Set Forth that as well by Fire as by Remarkable long Sicknesses which his Family had been Afflicted with for these five Years past he had been obliged (thro' mere Necessity) to Contract many Debts which were Still due from him to his Respective Creditors And that in order to Pay off and discharge those Debts he had Attempted to Sell and dispose of a Considerable Real Estate (of which he is seized in his Demesne as of Fee) Situate lying and being in the County Aforesaid but without Success No person having offered Near the one half of the Real and true Value of the aforesaid Land And therefore humbly Prayed that he might have leave to bring in a Bill to Enable him to Sell and dispose of his Said Real Estate by way of Lottery in order to raise a sufficient Sum of Money to Pay off and discharge his Said Debts Which Petition being adjudged Reasonable

BE IT THEREFOR Enacted by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same That it Shall and May be lawfull for him the said Humphry Ivory either by himself or his Trustees to Sell and dispose of his said Real Estate lying and being within the County Aforesaid by Way of Lottery to raise a Sum of Money equal to the Value of the Said Lands for the payment of his Debts as Aforesaid Any thing in one certain Act of this Colony passed in the Twenty first Year of his Majesties Reign Entituled "An act to prevent private Lottery's in this Colony" to the contrary thereof in any Wise Notwithstanding

## [CHAPTER 1026.]

[Chapter 1026, of Van Schanck, and chapter 103 (vol. 2), of Livingston & Smith, where the title only is printed. See chapter 995. Expired August 1, 1757.]

An Act to extend An Act Entituled [An Act for the Relief of Insolvent debtors with respect to the Imprisonment of their persons in the Cities of New York and Albany] to debtors now under confinement within this Colony.

[Passed, November 27, 1756.]

WHEREAS there are many Persons now in Goal within this Colony unable to pay their whole debts Yet willing to deliver up their effects to be applied towards the Satisfaction of their Creditors. And as such Debtors are proper objects of Compassion and their Relief may be more particularly usefull at this Juncture, when the Publick from the distresses of War may stand in need of the Assistance of every Individual of its Members BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly And it is hereby Enacted by the Authority of the same that the above mentioned Act Entituled [An Act for the Relief of Insolvent Debtors with respect to the Imprisonment of their Persons in the cities of New York and Albany] passed in the twenty ninth year of his Majesty's Reign, shall extend and is hereby extended to all and every Person and Persons within all and every the respective Cities and Counties of this Colony now charged in Execution or who have been Committed on a Capias for the space of three Months or longer before the Publication of this Act, whose debt or debts do not in the whole exceed the Sum of fifty pounds; or now charged in Execution, or who have been committed for the space of two Months as aforesaid whose debt or debts do not exceed twenty five pounds or now charged in Execution or who have been committed for the space of twenty days as aforesaid whose debt or debts do not exceed ten pounds current money of this Colony. And the respective Courts of Law from whence the Process issued upon which the said Person or Persons was or were taken in Execution or Committed as aforesaid, are hereby empowered and required to receive petitions to make the like Rules and orders thereupon,



and in all other respects to proceed in the same manner for the discharge of the debtors now in Goal as aforesaid, as the Courts of Law in the Cities of New York and Albany were empowered and required to do by the Act first above mentioned, in the cases of the persons for whose benefit and Relief the said Act was made or intended.

AND BE IT ENACTED by the Authority aforesaid that the Act first above mentioned shall be and is hereby continued and together with this Act shall remain in force until the first day of August which will be in the Year of our Lord One thousand seven hundred and fifty seven.

[CHAPTER 1027.]

[Chapter 1027. of Van Schaack, and chapter 108 (vol. 2), of Livingston & Smith, where the title only is printed. See chapters 840, 860, 933, 954.]

An Act to Repeal part of the several Acts therein Mentioned

[Passed, November 27, 1754.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same that the fourteenth Clause or Section of an Act Entituled "An Act for raising the sum of Two thousand two hundred and Fifty Pounds by a Publick Lottery for this Colony for the advancement of learning and towards founding a College within the same" passed in the Twentieth Year of his Majesties Reign The fourteenth Clause or section of an Act Entituled "An Act for raising the Sum of One thousand Eight hundred Pounds by a publick Lottery for a further provision towards founding a College for the advancement of Learning within this Colony" passed in the Twenty first Year of his Majesties Reign The fourteenth Clause or section of an Act Entituled "An Act for raising the sum of One thousand one hundred and Twenty Five pounds by a public Lottery for a further provision towards founding a College for the advancement of learning within this Colony" passed in the Twenty seventh Year of his Majesties Reign And the fourteenth Clause or section of an Act Entituled "An Act for raising the Sum of One thousand One hundred and Twenty five pounds by a publick Lottery for this Colony for a further provision towards

foundings a College within the same" passed in the said Twenty Seventh Year of his Majesties Reign Shall be and hereby are repealed and all and every the said Clauses or Sections declared to be Null and Void to all Intents Constructions AND purposes whatsoever as if the same had Never been inserted in the before mentioned several Acts Any thing in the said Several Acts to the Contrary Notwithstanding

[CHAPTER 1028.]

[Chapter 1028, of Van Schaack, and chapter 107 (vol 2), of Livingston & Smith, where the title only is printed. Continued by chapter 1050.]

An Act for laying an Excise upon all Tea of foreign Growth retailed within this Colony.

[Passed December 1. 1753.]

WHEREAS the Present Exigency of Affairs requires the raising of large sums of Money to promote the services of the Colony and Taxes upon all Kinds of Luxury being of Publick Utility

BE IT THEREFORE ENACTED by His Excellency the Governor the Council and the General Assembly and It is hereby Enacted by the Authority of the same That there shall be laid for his Majesties use from the first Day of January Next for and During the Term of one whole Year an Excise upon all Tea of foreign Growth retailed throughout this Colony under the Quantity of One hundred pounds weight to wit for and upon every pound of Such Tea sold and disposed of by way of Retail the sum of Six Pence Current Money of this Colony and so in proportion for every greater or lesser Quantity retailed as Aforesaid PROVIDED the Quantity so sold and Retailed does Not Amount to One hundred pounds as aforesaid

AND for the due and Regular Collecting the Aforesaid Excise BE IT ENACTED by the Authority Aforesaid that Abraham Leysen of the City of New York whom his Excellency the Governor hath been pleased to appoint for that purpose shall be and is hereby empowered and Authorized to grant and give unto all and every Person or Persons residing within this Colony (excepting within the City and County of Albany) who shall Apply to him for that purpose a Licence or Licences

Authorizing him her or them so applying for the same to Retail such Tea upon the Payment of Six Pence as Aforesaid upon the sale of every Pound of such Tea by them sold and Retailed and so in proportion for any greater or lesser Quantity so by them Retailed

AND be it further Enacted by the authority aforesaid That Hermanus Wendell of the City of Albany whom his Excellency the Governor hath been pleased to Appoint for that purpose shall be and hereby is impowered and Authorized to Grant such Licences as Aforesaid to all and every Person or Persons Applying for the same who do or shall Reside with in the City and County of Albany

AND be it further Enacted by the Authority Aforesaid that the several and Respective Persons who are by this Act authorized and impowered to grant Licences to the several and respective Retailers of such Tea within their Several and Respective Districts are hereby Also Appointed Managers for Collecting and Gathering in the said Duty so as aforesaid laid upon all such Tea so as aforesaid Sold and disposed of by Way of Retail within this Colony which Managers before they Enter upon the performance of the services required of them by this Act SHALL each of them take the following Oath (to Wit) I A. B. will well truly and faithfully according to the utmost of my Power and Ability execute perform and do all and every the duties and Services required of me by an Act Entituled "An Act for laying an Excise upon all Tea of foreign Growth retailed within this Colony" SO HELP ME GOD Which Oath it Shall and may be lawfull for either of the Judges of the Supreme Court or either of the Judges of the Inferior Courts of Common pleas of the several and Respective City's to administer to the aforesaid several and respective Managers hereby Nominated and appointed as aforesaid And they the said Managers Shall also enter into Recognizance unto our Sovereign Lord the King his Heirs and successors in the sum of Five hundred Pounds with two sufficient Sureties each in half that sum for the faithfull discharge of their Trust and that they will Pay into the Treasury all Such sums of money as they shall Receive by virtue of this Act pursuant to the directions thereof.

AND be it further Enacted by the authority aforesaid that it Shall and may be Lawfull for the said Several and Respective

Managers aforesaid or any or either of them upon the Granting of every Licence or Licences as aforesaid to Demand and receive of the Retailer or Retailers of such Tea as aforesaid to whom he or they shall grant Such Licence or Licences the sum of One shilling and six pence Current money of this Colony for each Licence so granted

AND be it further Enacted by the authority aforesaid that the aforesaid Persons who are hereby Appointed Managers shall and they are hereby required and directed to Qualify themselves as soon as may be after the Publication of this Act On pain of forfeiting the sum of One hundred Pounds Current Money of this Colony to be recovered with full Costs of suit by Action of Debt or Otherwise in the Supreme Court by the Treasurer of this Colony and applied to and for the support of his Majesties Government in this Colony by Act or Acts hereafter to be passed for that purpose

AND be it further Enacted by the authority aforesaid that if any Person or Persons whomsoever shall presume to Sell directly or Indirectly any such Tea by way of Retail from and after the said first day of January Next (Except he she or they so selling and Retailing do first apply for and Obtain a Licence or Licences for that purpose in the manner as is herein before directed) he she or they so Offending shall forfeit and loose the sum of Five Pounds for every offence to be Recovered in a Summary way before any of his Majesties Justices of the Peace with full Costs of Suit by the aforesaid Managers respectively And shall also forfeit all such Tea's as shall be then found in his her or their possession.

AND be it further Enacted by the authority aforesaid that all and every Person or Persons who shall apply for and Obtain a Licence or Licences to Sell and dispose of Such Tea by way of Retail as Aforesaid Shall and he she or they are hereby required and directed to keep an Exact Account of all such Tea which he she Or they SHALL retail from the said first Day of January Next untill the first Day of January Which will be in the Year of our Lord One thousand seven hundred and fifty Seven And he she or they shall upon the Payment of the Money by this Act laid upon all such retailed Tea produce the said Account to the Managers Aforesaid by whom they were respectively Licenced with whom he she or they shall settle

their accounts and the Said respective Managers are hereby directed and Required before the settlement of any Account or Accounts with Any or either of the said Retailer or Retailers of such Tea to administer to Such Retailer or Retailers an oath or affirmation as the Case may happen to be to the following effect VIZt. That the account so produced by him her or them is a just full and perfect account of all the Tea of foreign Growth sold by retail by him her or them from the first day of January to the Day on which such settlement is So Made which Oath or affirmation it is hereby declared lawfull for the aforesaid Managers Respectively to Administer.

PROVIDED always and be it Enacted by the authority aforesaid that whenever the Retailers of Tea as Aforesaid shall Make up and settle their accounts with the aforesaid respective Managers if they can Make it appear to the Satisfaction of the Said Managers Respectively that the Excise of any of the Tea retailed by them has already been paid or secured to be paid by Any Other person or Persons such Retailer or Retailers shall be allowed so much in his her or their Accounts as he she or they shall so Make Appear to have been before paid or secured to be paid

AND be it further Enacted by the authority aforesaid that if any or either of the said Retailer or Retailers of such Tea shall Neglect or Refuse to keep such account and the same ~~be~~ produce to the said Managers respectively he she or they so offending shall respectively forfeit and loose the Sum of Fifty Pounds.

AND be it further Enacted by the authority aforesaid that each and every of the Retailers of such Tea as aforesaid shall Pay the said Excise unto the aforesaid Managers Respectively in half Yearly Payments Which Sums when Received by the said Manager shall forthwith thereafter be paid into the Treasury of this Colony together with all the Money's arising by the Granting of Licences as aforesaid

AND be it further Enacted by the authority aforesaid that if from and after the Publication of this Act any Person or Persons Whatsoever shall Oppose Molest hinder or Obstruct any or either of the said Managers in the Due Execution of the Powers and authorities given and Granted to them by this Act Every Such Person or Persons so doing shall forfeit and loose for every Such Offence the sum of FIFTY Pounds.



AND be it further Enacted by the authority aforesaid that the several before mentioned Forfeitures (except forfeitures by the Managers themselves) shall be sued for and recovered by the Aforesaid Managers Respectively in any Court wherein such Causes are properly Cognizable and when recovered paid into the Treasury together with the Produce of the sale of all such Tea as shall happen to be forfeited by any such Retailer as Aforesaid and shall Remain there until the same be disposed of by Act or Acts hereafter to be passed for that purpose

AND be it further Enacted by the authority aforesaid that all the Money's Arising and to be paid to the Treasurer by Virtue of this Act Shall Remain in the Treasury untill the same shall be Disposed of by Act or Acts hereafter to be Made and Passed for that purpose.

And be it further Enacted by the authority aforesaid that it shall and may be Lawfull for the aforesaid Managers to Retain in their own Hands out of the Moneys to Arise by this Act the following Sums VIZ. The said Abraham Leynsen the sum of Eighty Pounds And the said Harmanus Wendell the sum of Twenty Pounds as a Reward for their care and trouble in performing the several services required of them by this Act

And be it Enacted by the Authority aforesaid That if either of the said Managers shall happen to Die Remove out of this Colony or Refuse to Act It shall and may be Lawfull to and for the Governor or Commander in chief for the time being by and with the advice and Consent of his Majesties Council to appoint some other fit Person or Persons in the place and stead of him or them so Using Removing or Refusing to act PROVIDED that the Person or Persons who shall be appointed shall be obliged to enter into the like Recognizance with the like Sureties as herein is directed to be done by the Said Managers and in all Respects be subject to observe do and perform the several directions of this Act

AND be it further Enacted by the authority aforesaid That the Treasurer shall keep and he is hereby Required directed and Ordered to keep exact Books of all his Receipts by Virtue of this act And a true and just Account thereof shall render upon Oath unto the Governor or Commander in Chief for the time being the Council or General Assembly when by them or any of them he shall be thereunto required

## [CHAPTER 1029.]

[Chapter 1029, of Van Schaack, and chapter 108 (vol. 2) of Livingston & Smith where the title only is printed. Continued by chapter 1049.]

**An Act for Erecting and Establishing a Stamp Office in this Colony for Stamping all Vellum Parchment and Paper charged with the several Duties therein Mentioned**

[Passed December 1, 1750.]

**WHEREAS** the present Exigencies of this Colony require large sums of Money for defraying the Necessary expenses thereof And it being conceived that Considerable sums may be raised by a Stamp Duty without being over burthensome to the Inhabitants of this Colony

**BE IT THEREFORE** Enacted by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That from and after the first Day of January Next there shall be throughout this His Majesties Colony Raised Collected and paid into the Treasury for his Majesties use during the Term of one whole Year for the several and Respective things hereafter Mentioned Which shall be Printed or Written or both printed and Written during the Term Aforesaid the several and Respective Rates Impositions Duties Charges and sums of Money herein after Mentioned in Manner and form following, that is to say

For every Skin or peice of Vellum or Parchment sheet or peice of Paper upon which any Capais or other process of Whatever Denomination the same May be That shall Issue out from the Clerks office or pass the seal of any court of Judicature within this Colony Shall be Written or Printed or both Printed and Written the sum of three pence.

For every skin or peice of Vellum, Parchment or sheet or peice of Paper upon which Any Declaration Plea Repllication Regolinder Demurrer or other pleadings Whatever in any Court of Law shall be Written or Printed or both the sum of Two pence

For every skin or peice of Vellum, Parchment or sheet or peice of Paper on which any Capais Summons or Execution from any Justice of the Peice shall be Written or Printed or both one Penny.

For every skin or piece of Vellum Parchment or sheet or piece of Paper on which any Rule or order made or given in any Court of Law or Equity shall be Written or Printed or both the sum of Three pence

For every Skin or piece of Vellum Parchment or sheet or piece of Paper on which any Bill answer Replication Rejoinder Interrogatories Depositions taken by Commission or otherwise or any other Pleadings Whatever in the Court of Chancery shall be Written or Printed or both the sum of three pence

For every Skin or piece of Vellum Parchment or sheet or piece of Paper on which any Bail pieces shall be Written or printed or both the sum of three pence

For every skin or piece of Vellum Parchment or Sheet or piece of Paper on which any Probate of Wills and Copy's of Wills and Letters of Administration shall be Written or Printed or both the sum of Four pence.

For every Skin or piece of Vellum Parchment or Sheet or piece of Paper on which any Licence for Marriage shall be Written or Printed or both the sum of Four pence

For every Skin or piece of Vellum Parchment or Sheet or piece of Paper on which any civil or Military Commission shall be written or Printed or both Written and printed the Sum of Four pence

For every Skin or piece of Vellum Parchment or sheet or piece of Paper on which any Charter party Policy of assurance or Protest shall be written or Printed or both the sum of three pence

For every skin or piece of Vellum Parchment or sheet or piece of Paper on which any Bill of Lading or Receipt for money or any kind of Wares or Merchandize that shall be laden on Board any ship or Vessel shall be written or Printed or both One penny

For every Skin or piece of Vellum Parchment or Sheet or Piece of Paper on which any Certificate under the Colony Seal or the seal of any Notary Publick shall be Printed or Written or both the sum of Four pence.

For every Skin or piece of Vellum Parchment or sheet or piece of Paper on which any Register of a ship or other Vessel shall be Printed or Written or both the sum of Four pence

For every Skin or piece of Vellum Parchment or sheet or piece of Paper on which any Libel Warrant Monition Deposition Answer Inventory or Interrogatory or Decree of the Court of Vice

Admiralty shall be printed or Written or both the sum of Four pence

For every skin or peice of Vellum Parchment or sheet or peice of Paper on which any Deed or Mortgage of any Real Estate (mortgages in the several Loan offices excepted) shall be Written or Printed or both the sum of Four pence

For every skin or peice of Vellum Parchment or sheet or peice of paper on which any Bond or Obligation or other Sealed Instrument (Original Wills excepted) shall be Written or Printed or both the Sum of Three pence

For every Skin or peice of Vellum Parchment or Sheet or peice of Paper on which any News Paper shall be Printed One half penny

For every Skin or peice of Vellum Parchment or Sheet or peice of Paper on which any Bill of Sale for any ship or Vessel or any part of one shall be Written or Printed or both the Sum of Four pence.

For every Skin or peice of Vellum Parchment or Sheet or peice of Paper on which Any Indenture or Bill of sale for servants of any sort shall be Written or Printed or both the Sum of three pence.

AND be it further Enacted by the authority aforesaid That for the better and more effectual Levying Collecting and Paying the severall and respective Duties hereby laid That Abraham Lott junior and Isaac Low whom his Excellency the Governor has been pleased to appoint for that purpose shall be Managers of the Stamps for this Colony who shall keep an Office in the City of New York and by the first Day of January Next Ensuing provide Five different Marks or Stamps (THAT is to Say) one Stamp or Mark with which all Vellum Parchment or Paper herein before Charged with the Payment of Four pence shall be Marked or Stamped AND one other Stamp or Mark with which all Vellum Parchment or Paper herein before charged with the Payment of three pence shall be Marked or stamped AND one other Stamp or Mark with which all Vellum Parchment and Paper herein before charged with the payment of Two pence shall be Marked or stamped AND one other stamp or Mark with which all Vellum Parchment and Paper herein before charged with the Payment of one Penny shall be Marked or Stamped AND one other Stamp or Mark with which all Vellum Parchment and Paper herein before Charged with the

payment of one half penny shall be Marked or Stamped Which and several Marks and Stamps shall be Published by Proclamation to be Issued by the Governor or Commander in chief for the time being with the advice of his Majesties Council a Convenient time before the said first Day of January Next To the End that all Persons may have due Notice thereof And the said Managers in providing the said Marks or Stamps shall take care they be so Contrived that the Impression thereof may be durable and so as the same May be least liable to be forged or Counterfeited.

AND be it further Enacted by the authority aforesaid That the said Managers shall from time to time provide and be sufficiently furnished with Vellum Parchment and Paper Stamped or Marked as aforesaid so as his Majesties subjects may have it in their Election to Buy the Same without Any advance made thereon Except the Duty aforesaid or to bring Vellum Parchment or Paper to be Marked or Stamped for the use of themselves or Others and all Vellum Parchment and Paper so brought shall be Marked or Stamped without any delay on Payment of the Rates or Sums Charged by this Act

AND be it further Enacted by the authority aforesaid That the said Managers before they shall be deemed Qualified for their Office shall each of them take the following Oath VIZt. I A. B. do swear that I will faithfully execute the Trust reposed in me pursuant to an Act of this Colony Entituled "An Act for Erecting a Stamp office in this Colony for Stamping all Vellum Parchment or Paper charged with the several Duties therein Mentioned" without fraud or Concealment and that I will from time to time true account Make of my doings therein according to the directions of said Act SO HELP ME GOD — And the said Managers shall also enter into Recognizance unto our Sovereign Lord the King his Heirs and successors in the sum of Five hundred Pounds with Two Sufficient sureties each in half that sum for the faithfull discharge of their Trust and that they will Pay into the Treasury all such Sums of Money as they shall Receive by Virtue of this Act pursuant to the directions thereof And in Case such Officer or Officers be Convicted of Unfaithfulness in his or their Office he or they shall for ever after be debarred of holding any Post of Honour or Profit in this Colony



AND be it further Enacted by the authority aforesaid that if any Person or Persons shall during the Continuance of this Act Counterfeit or Forge any Stamp or Mark to resemble any Stamp or Mark which Shall be provided or Made in pursuance of this Act or shall with a fraudulent design Counterfeit or Resemble the Impression of the same upon any Vellum Parchment or Paper or shall Utter Vend or Sell any Vellum Parchment or Paper with Mark or Impression thereon knowing the Same to be Counterfeit Every such Person so offending and being thereof Convicted in due form of Law Shall be fined at the discretion of the Court Also be set upon the Gallows with a Rope about his or her Neck for the space of one Hour and loose his or her Ears

AND be it further Enacted by the authority aforesaid that if any Person or Persons shall during the Continuance of this Act Write or Cause to be Written or Printed on any Vellum Parchment or Paper or both Write and Print on either or sell any of the Instruments News Papers or Writings charged by this Act with the Payment of a Duty with a Fraudulent Intent before such Vellum Parchment or Paper be duly Stamped or Marked according to the directions of this act every Person so Offending shall for each offence Forfeit & Pay the sum of Five Pounds.

AND be it further Enacted by the authority aforesaid that in Case any Person or Persons whatsoever during the Continuance of this Act shall Execute any Deed Instrument or Writing whether written or Printed or both written and Printed Charged with the Payment of a Duty as aforesaid on Vellum Parchment or Paper not Marked or stamped According to the directions of this Act or shall suffer any such Deed Instrument or Writing to be Executed unto him her or them he she or they so Offending shall for each offence respectively forfeit and Pay the sum of Twenty Shillings

AND be it further Enacted by the authority aforesaid That if any Deed Instrument or Writing Whatsoever charged by this Act with the Payment of a Duty as aforesaid shall Contrary to the true Intent and Meaning thereof be written or Printed by any Person or Persons whatsoever upon Vellum Parchment or Paper not Marked or Stamped according to this Act or upon Vellum Parchment or Paper Marked or Stamped for a lower Duty than is by this act directed that then and in every Such

Case there shall be paid over and above the Duty Aforesaid for every such Deed Instrument or Writing the sum of Five Pounds And no Such Record Deed Instrument or Writing shall be good Valid or Available in Law or Equity Untill as well the Said Duty as the said Sum of Five Pounds shall be first paid unto the managers Aforesaid and a Receipt produced for the same and untill the Vellum Parchment OR Paper on which Such Deed Instrument or Writing shall be written or Printed shall be marked or Stamped with a Lawfull Mark or Stamp and the aforesaid Managers are hereby required and Enjoyned upon Payment of the said Duty and Said sum of Five Pounds unto them to give a Receipt for the same and to Mark or Stamp the Said Vellum Parchment or Paper with the Mark or stamp that shall be proper for such Deed Instrument or Writing Respectively

AND be it further Enacted by the authority aforesaid That all the forfeitures which shall arise by this act shall be sued for and Recovered with full Costs of suit by the Aforesaid Managers in any Court of Record within this Colony by Action to be brought in their own Name or Names One half whereof when Recovered shall be to the proper use of Such Managers and the other half shall be by them paid into the Treasury with the Money's arising by the aforesaid Duties.

AND be It further Enacted by the authority aforesaid That the aforesaid Managers shall account with the Treasurer and Pay all the Money's arising by this Act into the Treasury in half Yearly Payments which Money so Paid in shall remain in the Treasury untill the same be disposed of by Act or Acts hereafter to be passed for that Purpose

AND be it further Enacted by the authority aforesaid That the Treasurer Shall and he is hereby directed and required to keep exact Books of All his Receipts by Virtue of this act And render true and just Accounts thereof on Oath to the Governor or Commander in chief for the time being the Council or General Assembly when by them or any of them thereunto required.

AND be It further Enacted by the authority aforesaid that it Shall and May be lawfull for the said Managers to Retain in their own Hands out of the Money's to arise by this Act the sum of Fifty Pounds to each of them as a reward for their care and trouble in Executing and performing the several services required of them by this Act

' And be it Enacted by the Authority aforesaid that if either of the said Managers shall happen to Die Remove out of this Colony or Refuse to Act It shall and may be Lawfull to and for the Governor or Commander in chief for the time being by and with the advice and Consent of his Majesties Council to appoint some other fit Person or Persons in the place and Stead of him or them So Dying Removing or Refusing to Act Provided that the Person or Persons who Shall be appointed Shall be obliged to enter into the like Recognizance with the like sureties as herein is directed to be done by the said Managers and in all Respects be subject to observe do and Perform the several directions of this Act.

[CHAPTER 1030.]

[Chapter 1030, of Van Schnack, and chapter 100 (vol. 2) of Livingston & Smith, where the title only is printed. Expired January 1, 1758.]

' An Act to Regulate the Collecting the Duty of Excise on Strong Liquors retailed in this Colony from the first of January One Thousand seven hundred and Fifty seven to the first of January One thousand seven hundred and fifty Eight.

[Passed December 1, 1756.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That Cornelius Clopper junior Shall be and hereby is Appointed Commissioner for Collecting the Duty of Excise of and from the several Retailers of strong Liquors within the City and County of New York from the first Day of January One thousand seven hundred and fifty seven to the first Day of January One thousand seven hundred and Fifty Eight.

AND be it further Enacted by the Authority Aforesaid That the said Commissioner shall as soon after the Publication of this Act as he shall Judge convenient Appoint the several Retailers within the said City and direct and Ascertain what each retailer shall Pay for the said Duty from the first Day of January One thousand seven hundred and fifty seven to the first Day of January One thousand seven hundred and Fifty Eight ALWAYS PROVIDED That the whole sum to be laid

on the several Retailers in the said City and County shall be the full and entire sum of Nine Hundred and Fifty four pounds with the Additional sum of One hundred Pounds for his Commissions which is to be at the Rate of Five Pounds per Cent and for other incidental Charges For which said Sum of One Hundred pounds he shall account on Oath and if it exceeds his Commissions and incidental charges the surplus thereof shall be Applied in ease of the Next Years Excise And the said sum of Nine hundred and Fifty four Pounds shall by the said Commissioner be paid unto the Treasurer of this Colony on or before the first Day of January One thousand seven hundred and fifty Eight.

AND be it further Enacted by the Authority Aforesaid That the several and Respective Persons hereafter Named shall be and hereby are appointed Commissioners for Collecting the said Duty of Excise of and from the several and Respective Retailers Within the several and Respective Counties of this Colony and the Harbour Bays and Rivers thereunto respectively Adjoining or belonging VIZt.

For the City & County of Albany the Mayor Recorder and Aldermen of the said City

For Kings County Abraham Bloom Esquire

For Queens County Valentine Hulet Peters Esquire

For Suffolk County Richard Floyd, Hugh Gelston and Samuel Langdon Esquires

For Westchester County Edward Stephenson Esquire

For Dutchess County Clere Everit and Leendert Van Kleeck Esquires

For Ulster County Johannes J. Jansen

For Orange County John Carpenter and Johannes Bongert

And For Richmond County Jacob Reseau and Hezekiah Wright Esquires

AND be it further Enacted by the Authority Aforesaid That the Aforesaid several and Respective Commissioners or the Major part of them Respectively shall as soon as they Conveniently can After the Publication of this Act Meet at the County Halls of their Several and respective Counties or at such other place or places as they the said Commissioners shall respectively Appoint for putting in Execution the powers and Authorities given by this Act At which time or at such Other time or Times as they shall judge Necessary the said Commis-

stoners or the Major part of them respectively Shall for their own Counties severally and respectively fix the Number and Appoint the several Retailers within their several and respective County's and direct and Ascertain what each Retailer shall pay for the said Duty of Excise from the first Day of January One thousand seven hundred and Fifty seven to the first Day of January One thousand seven hundred and fifty Eight ALWAYS PROVIDED that the sum to be laid,

On the Several Retailers in the City and County of Albany shall be the full and entire sum of One hundred and Twenty seven pounds With the Sum of Thirteen Pounds in addition thereto for the Charges of Managing the Same.

On the several Retailers in Kings County the full and entire sum of Forty Pounds with the Sum of Five Pounds in addition thereto for the Charges of Managing the same

On the several Retailers in Queens County the full and entire sum of One hundred and Twenty Five Pounds with the sum of Ten pounds in Addition thereto for the Charges of Managing the same.

On the several Retailers in Suffolk County the full and entire sum of Sixty Pounds with the sum of Nine Pounds in Addition thereto for the Charges of Managing the Same

On the Several Retailers in Westchester County the full and entire sum of seventy Pounds with the sum of Ten pounds in Addition thereto for the charges of Managing the same.

On the several Retailers in Dutchess County the full and entire sum of Forty Two pounds with the sum of Eight Pounds in addition thereto for the charges of Managing the

On the several Retailers in Ulster County the full and entire sum of Thirty Eight Pounds with the sum of Eight Pounds in addition thereto for the charges of Managing the same

On the several Retailers in Orange County the full and entire sum of Nineteen Pounds with the sum of Three pounds in addition thereto for the charges of Managing the same.

And On the several Retailers in Richmond County the full and entire sum of Twenty five Pounds With the sum of Thirty shillings in addition thereto for the charges of Managing the same.

AND be it further Enacted by the authority Aforesaid That the Aforesaid several and Respective Commissioners shall be-



fore they Enter on the Execution of the Powers and Authorities given by this Act enter into Recognizances unto Our sovereign LORD the King His Heirs and successors before any Judge of the Supreme Court or of the inferior Courts in the following sums That is to Say

The said Cornelius Clopper junior in the Penal sum of One thousand Nine hundred and Eight Pounds

The said Valentine Hulet Peters in the Penal sum of Two hundred and Fifty Pounds

The said Abraham Bloom in the Penal sum of Eighty Pounds

The said Richard Floyd, Hugh Gelston and Samuel Langdon in the Penal sum of One hundred and Twenty Pounds

The said Edward Stephenson in the penal sum of One hundred and Forty Pounds

The said Clerc Everet and Leendert Van Kleeck in the Penal sum of Eighty Four Pounds

The Said Johannes J. Jansen in the Penal sum of seventy six Pounds

The said John Carpenter and Johannes Boogert in the Penal sum of Thirty Eight Pounds

The said Jacob Reseau and Hezekiah Wright in the Penal sum of Fifty Pounds.

CONDITIONED that they shall well and Truly Pay to the Treasurer of this Colony on or before the first Day of January which will be in the year of Our Lord One thousand seven hundred and Bfty Eight The several and Respective sums to be laid in Manner Aforesaid on the several and Respective Retailers within their several and Respective Counties exclusive of the several and respective sums by this Act Allowed for the charges of Management

AND be it further Enacted by the Authority Aforesaid That the Aforesaid several and respective Retailers shall Pay the Aforesaid several and respective sums laid or to be laid on them unto the Aforesaid Several and Respective Commissioners on or before the first Day of December One thousand seven hundred and Fifty seven For Securing which Payment the said Commissioners Shall respectively Oblige the said Several and Respective Retailers to give such security as they the said Commissioners shall judge Necessary ALWAYS PROVIDED that such Retailers in the City of New York as shall be rated Three pounds and under shall not be permitted or have any liberty

to Retail unless they immediately Pay the several and respective sums they shall be rated at to the Aforesaid Commissioner Any thing herein before contained to the Contrary Notwithstanding.

AND be it further Enacted by the Authority Aforesaid That in case any Person or Persons whatsoever other than such as the said Commissioners shall permit shall presume to sell Any strong Liquor by Retail directly or indirectly be she or they so Offending shall for each such offence forfeit the sum of Six Pounds to be recovered by the said Commissioner or Commissioners respectively On the Oath of any one Credible Witness in a summary Way in the City's of New York & Albany before the Mayor or Recorder and one or more Aldermen of the said Cities respectively And in the several Countys before any Justice of the Peace within the said County's respectively And if upon Conviction the Said Forfeiture be not paid the same shall be levied on the Goods and Chattles of the offender or offenders, by Warrants under the Hands and Seals of the Persons before whom such Conviction shall happen And if No goods or Chattles are found on WHICH to distrain it shall be lawfull to the Persons who heard and determined the Cause to Commit the offender or offenders to Goal without Bail or Mainprize for the space of Three Months unless the said Penalties are sooner discharged And the said Respective Magistrates shall be and hereby are fully Impowered directed and required to hear and determine those Matters in the Manner Aforesaid and to give Judgment And if Need be to Award Execution thereon and to Issue a Warrant or Warrants for the Commitment of Offenders as the Case may require One third of which Forfeitures shall be to the Informer or Informers One third to the said Commissioners And one third to the Poor of the Town Manor or Precinct where the offence shall be Committed to be paid into the Hands of the Church Wardens or Overseers of the Poor of the said Respective Place or Places by the officer or officers by whom the same shall be levied any thing in any of the acts of this Colony to the Contrary Notwithstanding

AND be it further Enacted by the authority aforesaid That the several Retailers who shall be permitted and allowed to Retail by the said Commissioner or Commissioners shall before they do So retail any strong Liquor Enter into Recognizances that is to say in the City's of New York & Albany before the respective Mayors thereof And in the several Countys of this

Colony before two Justices of the Peace in the Penal sum of Twenty Pounds with sufficient sureties in the like Sum CONDITIONED to keep an Orderly House According to Law during the time they shall be permitted to Retail as aforesaid And thereupon the said respective Mayors or the said Justices shall grant to the Person or Persons who have entered into such Recognizances a Licence under his and their hands and seals to retail strong Liquors in such House or place as shall be Mentioned therein during the Continuance of this Act Which Recognizances are to be lodged by the Person or Persons before whom the same shall be taken VIZt. In the City's of New York & Albany with the Town Clerk And in the several County's with the respective Clerks thereof And upon Complaint of the Breach of the said Condition it shall be Lawfull for the said Mayors and Aldermen of New York and Albany or the greater Number of them And in the Counties for the Justices of the General or special Sessions of the peace to Suppress the Licence or Licences of such offender or offenders.

AND be it further Enacted by the Authority Aforesaid That in case any of the Persons who shall be permitted to Retail strong Liquors as Aforesaid by the said Commissioner or Commissioners shall presume to retail before he she or they have obtained a Licence and entered into Recognizances to keep an Orderly House as aforesaid He she or they so offending shall Respectively forfeit the sum of six Pounds for each offence to be recovered in a summary way in the Manner before directed One half thereof to the Informer or Informers and the other half to the Poor of the Town Manor or Precinct Where the Forfeiture shall Arise.

And that the expence of being Qualified to retail may be within the bounds of Moderation BE IT ENACTED by the authority Aforesaid That no more shall be taken for a Licence and Recognizance in the Citys of New York and Albany than the usual and Accustomed Fees And in the respective Counties than the sum of Three shillings

AND be it further Enacted by the authority aforesaid That such Persons permitted to retail as Aforesaid by the said Commissioner or Commissioners who retail strong Liquors Not to be drank in their own Houses but carried elsewhere shall not be obliged to enter into Recognizances and take Licences as aforesaid Any thing Contained in this Act to the Contrary Notwithstanding

AND be it Enacted by the authority aforesaid That in Case all the several sums for which the Excise shall be let in the several and Respective Citys and County's of this Colony shall fall short of the sums herein before Rated on the said several and Respective City's and County's with the Aforesaid incidental Charge of Letting and Collecting the same then the Commissioner or Commissioners Aforesaid where such deficiencies shall happen shall be and are hereby impowered to Call the Retailers before them And assess and Rate such sum or sums upon them as shall be Sufficient to Make up such deficiency Which said Additional sums shall be Collected and paid in the same Manner with the several and Respective sums first laid

AND be it further Enacted by the authority aforesaid That in Case of the Death of any of the aforesaid respective Commissioners the surviving Commissioner or Commissioners where such Death may happen shall be and hereby is and are Intitled to the Whole Reward And Vested with the same powers and authorities to execute this Act as if no such Death had happened And in Case of the Death of all the Commissioners of any of the said Respective City's or Counties then the sheriff or sheriffs for the time being of the City's County or Counties where such Death may happen shall be And hereby is and are Vested with all the powers and Authority's given to the Commissioners by this Act be under the same Regulations and Intitled to the same Reward to all Intents Constructions and Purposes whatsoever as if they had been particularly named and appointed in this Act Any thing in this Act to the Contrary Notwithstanding

AND be it further Enacted by the authority Aforesaid That all the monies to be paid to the Treasurer of this Colony by Virtue of this Act shall be employed for and towards Cancelling the Bills of Credit Struck and Issued upon the said Duty of Excise at the times and in the manner directed in and by An Act Entituled "An Act for the more effectuall Cancelling the Bills of Credit of this Colony" passed in the Twenty first Year of HIS Majesties Reign and to and for no other use or purpose Whatsoever except So Much thereof as is otherways Applied by an Act Entituled "An Act further to Continue the Duty of Excise and the Currency of the Bills of Credit Emitted thereon" for the purposes in the former Act and herein Mentioned" passed in the Twenty seventh Year of his Majesties Reign

AND be It also Enacted That the Retailers in the City of New York shall pay the Excise in three several payments or ~~former~~ as the Commissioner and they shall Agree PROVIDED ALWAYS that Nothing in this Act shall be Construed to make Void Abridge or in any Wise lessen the several Rights and Privileges granted unto the City's of New York and Albany by their Respective Charters Any thing contained in this Act to the Contrary thereof in any wise Notwithstanding

AND be It further Enacted by the Authority Aforesaid That the Treasurer of this Colony shall be and hereby is directed and required within three months After the Publication of this Act to put in Suit the Recognizances of all such Persons who are in arrear on account of the Excise farmed by former Acts of this Colony First giving Two Months notice of this Direction by Advertisements to be inserted in all the publick News Papers in this Colony And where no Recognizances are to be found the said Treasurer Shall be and hereby is Enabled empowered And Authorized to bring Suits in his own Name Against all and every such Person and Persons who Shall Appear to be in Arrear on Account of the said Excise or Against their Heirs Executors or Administrators And all the money recovered in consequence of such Suit or Suits Shall be applied to the Sinking and Cancelling the Bills of Credit Emittid on the Credit of the Duty of Excise at the Times and in the Manner herein before directed And in Case the Treasurer shall Neglect or Omit to bring or Cause such Suits to be brought within the Time limited by this Act all such sum or Sums of money So in Arrear on the Duty of Excise which he shall so Neglect or Omit to Sue for or Cause to be sued for shall be deemed Assets in his hands and he shall be charged therewith as having Actually received the Same.

#### [CHAPTER 1031.]

[Chapter 1031. of Van Schaack where the title only is printed Chapter 1031. of Livingston & Smith, where the act is printed in full. Continued by chapter 1052.]

#### An Act for Billeting and Quartering His Majesty's Forces within this Colony

[Passed December 1, 1756.]

WHEREAS his Majesty hath been graciously pleased to send and raise a considerable Body of Forces to be employed for the Defence and Protection of this and other His Colonies in North



America; and a greater number of the said Troops are now actually, and may happen to be, employed in this Colony, than can be quartered in the Barracks erected therein. For billeting and Quartering of Whom it is necessary Provision should be made.

BE IT THEREFORE Enacted by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That when and as often as any of his Majesties Forces shall be ordered to March into or through this Colony and shall come into any City Burrough Town Manor or Precinct in the same that it shall and may be Lawfull for the Mayor Deputy Mayor or Recorder and any two of the Aldermen of such City and Burrough and for any Two Justices of the Peace of the County in which such Town or Precinct shall Lye To Quarter and Billet the Officers and Soldiers in his Majesties service in Such Inns Livery stables Ale-Houses Victualling Houses and all Houses selling Rum Brandy Cyder or any other Spiritous Liquors by retail to be drank in said Houses and in Case there shall not be a sufficient Number of such Houses in the City Burrough Town Manor or Precinct into which Such Forces shall come for Conveniently Entertaining such Officers and soldiers then and in that Case in such private Houses in such City or Burrough as the Mayor Deputy Mayor or Recorder and Two Aldermen in their discretion shall see fit and in such private Houses in the several Towns or Precincts in the several Counties as the said Two Justices shall Judge most Convenient for that purpose PROVIDED ALWAYS that there shall be No More Billets at any time Ordered than there are effective Soldiers to be Quartered Nor any greater Number of soldiers Billeted or Quartered in any one House than Four unless by the Consent of the Master of such House

AND be it further Enacted by the Authority Aforesaid That if any Person or Persons in whose House any officer or soldier shall be Quartered and Billeted in pursuance of This Act shall refuse to admit or take such officer or soldiers so Billeted the Person or Persons so refusing shall forfeit the sum of Five Pounds for every Officer or soldier so refused to be admitted which forfeiture upon complaint and proof thereof made by one or more credible Witness or Witnesses to any one Justice of the Peace shall be levied by Warrant of Such Justice by Distress and sale of the offenders GOODS rendering the overplus to the Party after Deduction of Reasonable charges in taking the same

The said Fine to be paid to the City or County Treasurer where the same May Arise to be by them Applied toward the contingent charges of the said City or County respectively.

PROVIDED ALSO and be it further Enacted by the Authority Aforesaid That Nothing in this Act herein before mentioned shall be Construed to impower or authorize the Billeting or Quartering any officers or soldiers in the City's of New York and Albany And Township of Schenectady in which Barracks are Built for the Residence of soldiers Unless Quarters are wanting for a greater Number of Officers and soldiers than can Conveniently be placed in such Barracks

AND WHEREAS great Abuses may be committed by Officers and soldiers by bringing their Wives Children and Maid servants into their Quarters under Colour of this Act contrary to the true meaning thereof BE IT ENACTED by the Authority Aforesaid That Nothing herein contained shall be Construed to Authorize or impower the Quartering or Billeting the Wife Child or Maid servant of any officer or Soldier on any pretence whatever Nor shall any Person or Persons upon whom or in whose House any Officer or soldier shall be Quartered or Billeted in pursuance of this Act be obliged to Entertain the Wife Child or Maid Servant of any Officer or soldier so Quartered or Billeted without the consent and Agreement of the Person or Persons upon whom such officer or soldier shall be so Quartered or Billeted.

And to the End the soldiers so to be billeted may not be Imposed upon nor the subject oppressed BE it Enacted by the Authority aforesaid that the Rates to be allowed and taken for every officer or soldier billeted by Virtue of this Act shall be fixed and ascertained by the respective Magistrates by whom such Billets shall be granted: And the Commanding Officer of the Company to which the soldier or soldiers so billeted shall respectively belong shall respectively be accountable for the billeting Money due for the Men belonging to their respective Companies. The Soldiers Bedding to be of Straw or Chaff inclosed in a proper Cover Where Flock Beds cannot be had And the Allowance for Billeting or Quartering to be paid Weekly, at farthest if demanded.

AND be it Enacted by the Authority Aforesaid That this Act shall be and remain in force from the publication thereof untill the first Day of January which will be in the Year of Our Lord One thousand seven hundred and Fifty Eight. J

## [CHAPTER 1032.]

[Chapter 1032, of Van Schaack, and chapter 111 (vol. 2) of Livingston & Smith, where the title only is printed.

An Act for raising by a Publick Lottery for this Colony the Sum of One thousand One hundred and Twenty five pounds towards Erecting a New Goal in the City of New York

[Passed December 1, 1754.]

INASMUCH as it will greatly tend to the Welfare and Reputation of the Colony that a proper and Commodious Goal be Erected for the Reception of such Prisoners of War as shall be brought in this Colony

BE IT ENACTED by his Excellency the Governour the Council and the General Assembly and it is hereby Enacted by the Authority of the same That a Lottery be Erected within this Colony And that for and towards raising the Sum of One thousand one hundred and Twenty five Pounds it Shall and may be lawfull for any Person or Persons Natives or Foreigners Bodies Politic or Corporate to Contribute by paying at or before the respective times by this Act Limited in that behalf to any Person or Persons hereinafter to be Appointed for that purpose the Sum of One Pound Ten shillings or diverse entire Sums of One pound Ten Shillings upon this Act And that every Contributor or adventurer for every such Sum of One Pound Ten shillings which he she or they Shall so advance shall be interested in Such Lot or Share of and in the Said Lottery established by this Act as is herein After directed and Appointed And the same entire Sums of One pound Ten Shillings each are hereby Appointed to be paid unto Such Person or Persons Aforesaid On or before the first Tuesday in April Next

AND be it further Enacted by the Authority Aforesaid That Messieurs Ebenezer Grant and Theodores Van Wyck shall be Managers for preparing and delivering Out Tickets receiving the Money for the said Tickets and to Oversee the drawing of Lotts And to order do and perform such Other Matters and things as are hereafter in and by this Act directed and Appointed by such Managers to be done and performed And that Such Managers shall meet together from time to time at some publick place as to them Shall Seem most Convenient for the

Execution of the powers and Trust in them reposed by this Act And that the said Managers shall cause Books to be prepared in which every leaf shall be divided or distinguished into three Columns And upon the innermost of the said three Columns there shall be printed five thousand Tickets Number One Two three and so on onwards in Arithmetical progression where the Common excess is to be one untill they rise to the Number of Five thousand And upon the Middle Column in every the said Books there shall be printed Five thousand Tickets of the same Breadth and Form and Numbered in like Manner And in the extreme Column of the said Books there shall be Printed a third Rank or series of Tickets of the same Number with those of the other Columns which Tickets shall severally be of an oblong figure and in the said Books shall be joined with Oblique lines Flourishes or Devices in Such MANNER as the said Managers shall think most Safe and Convenient And that every Ticket in the extreme or third Column of the said Books shall have Printed thereon besides the Number the following Words VIDELICET The possessor of this Ticket if drawn a Prize shall be intitled to the Prize So drawn Subject to Such Deduction as is directed by an Act of this Colony in that behalf

AND be it further Enacted by the Authority Aforesaid That the said Managers shall carefully examine all the said Books with the Tickets therein and that the same be contrived numbered and made according to the True intent and meaning of this Act And all and every Such Manager or Managers respectively is and are hereby directed and required upon his or their receiving of every or any entire sum of One Pound Ten Shillings in full payment for a Ticket from any Person or Persons Contributing or Adventuring as Aforesaid to cut out of the said Book or Books through the said oblique lines Flourishes or Devices Indentwise a Ticket of the Tickets in the Said extreme Column which one of the said Managers shall sign with his own Name AND he or they shall permit the Contributor or Adventurer (if it be desired) to Write his or her Name or Mark on the Two Corresponding Tickets in the Same Book And at the same time the said Managers or one of them shall deliver unto the said Contributor or Adventurer the Ticket so cut off which he She or they are to keep and use for the better Ascertaining and securing the Interest which he She or they his her or their Executors Administrators or Assigns shall or may have

in the Said Lottery for the Monies so by him her or them Contributed or adventured untill the Said Adventure by the Drawing of Lots and the Payment of such Tickets as shall be fortunate shall be fully determined

AND be it further Enacted That the Said Managers at a Meeting as aforesaid shall cause all the Tickets of the Middle Column in the Books to be cut Indentwise through the said Oblique Lines Flourishes or Devices and carefully rolled up as much alike as may be and made fast with thread and in the presence of such Contributor or Adventurers as will be there present cause all the said Tickets which are to be Rolled up and made fast as Aforesaid to be put in'to a Box prepared for that purpose and to be Marked with the Letter (A) which is presently to be put into Another strong Box and to be locked up with two different Locks and Keys to be kept by as Many Managers and sealed with their Seals untill the said Tickets are to be drawn as is herein after Mentioned And that the Tickets in the first and innermost Column of the said Books shall remain Still in the Books for discovering any Mistake or Fraud If any such should happen to be Committed Contrary to the true Intent & Meaning of this Act

AND be it further Enacted by the same Authority That the Managers BEFORE MENTIONED shall cause to be prepared other Books in which every leaf shall be Divided or distinguished in Two Columns and upon the innermost of these two Columns there shall be Printed Five thousand Tickets And upon the Outermost of the said two Columns there shall be Printed Five Thousand All which shall be of equal length and Breadth as near as may be Which two Columns in the said Books shall be joined with Some Flourishes or Devices through which the Outermost Ticket may be cut off Indentwise And that One thousand and Ninety four Tickets part of these to be contained in the Outermost Column of the Books last Mentioned shall be called fortunate Tickets to which benefits shall belong as hereinafter mentioned And the said Managers shall cause the said Fortunate Tickets to be Written upon or otherwise Expressed as well in figures as in Words at length in Manner following, that is to Say, Upon One of them Five hundred Pounds Upon one other of them Two hundred pounds upon two other of them severally One hundred pounds Upon Ten other of them severally Fifty pounds Upon thirty



other of them Severally Twenty pounds Upon Fifty other of them severally Ten pounds and Upon One thousand of them severally Five Pounds Which Sums so to be Written or otherwise expressed upon the said Fortunate Tickets will amount in the whole to the Sum of seven thousand Five hundred Pounds which is the produce of Five thousand Tickets According to the Valuation of One pound Ten shillings for each Ticket as before Mentioned

AND be it further Enacted by the Authority Aforesaid that the Managers before mentioned shall Cause all the said Tickets contained in the Outermost Column of the last Mentioned Books in the presence of such Contributors or adventurers as will then be there present to be cut out Indentwise through the said Flourishes or Devices and carefully rolled up as near as may be alike and fastened with thread and put into Another Box to be prepared for that purpose and to be Marked with the Letter (B) which Box Shall presently be put into Another Strong Box and locked up and Sealed in the Manner as the Box Lettered (A) untill these Tickets shall also be drawn in the manner and Form hereafter Mentioned And that no money shall be received from any Contributor or Adventurer towards this Adventure as aforesaid after the first Tuesday in April Next And the whole Business of Rolling up and Cutting off and putting in the said Boxes the Said Tickets and locking up and sealing the said Boxes Shall be performed by the Said Managers on or before the said First Tuesday in April Next And to the end every Person concerned may be well Assured that the Counterpart of the same Number with his or her Ticket is put into the Box Marked with the Letter (A) from whence the Same may be drawn and that other matters are done as hereby directed some publick Notification in Print Shall be given of the precise time or times of Cutting the said Tickets and putting them into the Boxes to the end that such Adventurers as shall be minded TO see the same done may be present at the doing thereof

AND be it further Enacted by the Authority Aforesaid That on or before the first Tuesday in April Next the said Managers shall cause the said Severall Boxes with all the Tickets therein to be brought into the City Hall of the City of New York by Nine of the Clock in the forenoon of the same Day And shall then and there Attend the Service in order for Drawing with Two Clerks with Books prepared for that purpose to enter

Down all the fortunate Tickets And the said Managers being prepared for Drawing shall cause the Two Boxes containing the said Tickets to be severally taken out of the other two Boxes in which they shall have been locked up and the Tickets or Lots in the respective innermost Boxes being in the presence of the said managers and of Such Adventurers as will be there present for the satisfaction of themselves well shaken and Mangled in each Box distinctly And some one indifferent and Fit person to be appointed and directed by the said managers shall take out and Draw one Ticket from the Box where the said Numbered Tickets shall be as aforesaid put And one other indifferent and fit person to be appointed and Directed in like Manner Shall immediately draw a Ticket or Lot from the Box where the One thousand and Ninety four fortunate and three thousand Nine hundred and Six Blank Tickets shall be promiscuously put as aforesaid And immediately both the Tickets so drawn shall be opened and the Number as well of the fortunate as blank Tickets shall be Named Aloud And if the Ticket taken or Drawn from the Box containing the Fortunate and Blank Lotts Shall appear to be blank then the Numbered Ticket so drawn with the said Blank at the same time drawn shall be wrote upon Blank And shall both be put on one File And if the Ticket so drawn or taken out of the Box Containing the fortunate and blank Lotts shall appear to be one of the fortunate Tickets then the Sum Written upon such fortunate Ticket (Whatsoever it may be) shall be entered by the Clerk so appointed into the Books prepared for that purpose together with the Number coming up with the said Fortunate Ticket And one of the said Managers shall Set their Name as a Witness to every such Entry And the Said Fortunate and Numbered Tickets so drawn together shall be put upon another File And so the said Drawing of the Tickets shall Continue by taking one ticket at a Time out of Each Box and with Opening Naming Aloud and filing the same and by Entering the fortunate Lotts in Such Manner as is before Mentioned untill the whole Number of One thousand and Ninety four fortunate Tickets shall be compleatly drawn And if the same cannot be performed in one Day's times the said Managers shall cause the Boxes to be locked up and sealed in the Manner as Aforesaid and adjourn till the Next Day and so from Day to Day and every Day (except Sunday) and then open the Same and proceed as above till the Said Whole Number of fortunate Tickets shall be Compleatly drawn as Aforesaid.

AND to the End that the adventures may have all possible satisfaction in the due regular and just Management of the said Lottery BE IT ENACTED by the Authority Aforesaid That the Mayor Recorder Aldermen and Commonality of the City of New York may and are hereby impowered to Appoint every Day during the whole course of the Lottery two or more of their Body to inspect all and every Transaction of the said Lottery hereby directed and required And that each County in the Colony may and are hereby impowered if they see cause to depute two Justices of the peace or other Reputable Freeholders or Inhabitants for the Aforesaid Inspection with the proper Certificates of their being so Deputed from the Next or any subsequent General Sessions of the Peace and the said Managers are hereby directed and required to admit them and the said Members of the said Corporation to the aforesaid Inspection Accordingly.

AND be it further Enacted by the authority aforesaid that immediately After the Drawing be finished the said Managers are hereby required to Publish in the New York Gazette the Numbers Drawn Against the Fortunate Lots with the Prizes or Sums drawn by or belonging to each of them respectively And as soon as the drawing shall be over shall pay the said sums to such Person who shall produce Tickets with the Numbers drawn Against such fortunate Lotts they the said Managers first Deducting Fifteen per Cent out of the said Fortunate Lots to be applied as herein after directed

AND be it further Enacted by the authority Aforesaid That if any Person or Persons shall forge or Counterfeit any Ticket or Tickets to be made forth on this Act or alter any of the Numbers thereof or bring any forged or Counterfeited Tickets or any Ticket Whereof the Number is altered knowing the same to be Such to the said Managers or either of them to the Intent to Defraud the Colony or any Contributors or Adventurer or the Executors Administrators or Assigns of any Contributor or Adventurer upon this Act That then every Such Person or Persons (being thereof Convicted in due form of Law) shall be adjudged a Felon and Shall Suffer Death as in Case of Felony without benefit of Clergy And the said managers or either of them are hereby Authorized required and impowered to cause any person or Persons bringing such altered forged or Counterfeited Ticket or Tickets as aforesaid to be apprehended and to Commit him her or them to his Majesties Goal of the City of

New York to be proceeded against for the said Felony according to Law.

AND be it further Enacted by the Authority Aforesaid that every of the Managers hereby Appointed for putting this Act in Execution before his Acting in Such Commission Shall take the Oath following that is to Say I, A. B do swear that I will faithfully execute the Trust reposed in Me and THAT I will not use any indirect Art or Means or permit or direct any Person to use any indirect art or Means to Obtain a Prize or fortunate Lot for my self or any Person Whatsoever And that I will use the utmost of my Endeavors to prevent any undue or sinister Practice to be done by any Person Whatsoever And that I will to the best of my Judgment declare to whom any prize Lot or Ticket of Right does belong according to the true Intent and meaning of the Act of Governor Council and General Assembly passed in the Year of our Lord One thousand seven hundred and fifty six in that behalf. Which Oath shall be administered by one of the Justices of the supreme Court of this Colony

PROVIDED Always and be it Enacted by the authority Aforesaid That the Managers hereby appointed before they take the Oath prescribed by this Act or Perform or Execute any thing therein contained shall first Enter into the following Recognizances to our sovereign Lord the King his Heirs and Successors That is to Say Each of them before one of the Justices of the Supreme Court in the sum of Two thousand Five hundred pounds with two Sufficient sureties each in half that sum CONDITIONED That they shall and will well and truly each for his part Execute the Trust reposed in them by this Act and well and truly observe do and perform all the directions thereby required to be done and performed by them According to the True Intent and Meaning thereof Which several Recognizances are to be delivered to the Treasurer by the Justice before whom the same shall be so taken having first Caused the same to be Recorded in the Minutes of the Supreme Court in order to be lodged in the Treasury

AND be it further Enacted by the Authority Aforesaid that the several deductions of Fifteen pounds per Cent upon the whole Number of Fortunate Tickets shall remain in the Hands the Aforesaid Managers And be by them paid unto such  
as at such times and in Such proportions as shall be directed

by the Mayor Recorder and Aldermen of the City of New York or the Major part of them or the time being for and towards Erecting a New Goal in the City of New York in Lieu of that which is now the City Hall of the said City and for no other use or purpose Whatsoever Out of which Nevertheless the said Managers shall Retain in their own Hands in case the Lottery be Actually drawn the sum of Fifty Pounds to each of them and for each of the Two Clerks Six Shillings per Diem for every Day they shall be actually employed in said Drawing For each of the two Persons who shall draw the Tickets three Shillings per Diem for every Day they shall be so employed And such further Sum as shall be Requisite for Paying all Reasonable charges for Printing Books Tickets and Advertizements and Such other Incidents as may Necessarily be required in the said Lottery

AND be it further Enacted by the Authority Aforesaid That no Fee or Gratuity WHATSOEVER shall or may be demanded or taken of any Person or Persons Contributors or Adventurers to the Lottery Aforesaid by any Manager or Managers or any other officer or officers Appointed by this Act for any thing that Shall be done Pursuant to this Act upon Pain that any officer or Person offending by taking any Fee or Gratuity Contrary to this Act Shall forfeit the Sum of Fifty Pounds to the Party grieved to be recovered with full Costs in any of his Majesties Courts of Record within this Colony

AND be it Enacted by the Authority Aforesaid That in Case all the said Five thousand Tickets shall not be sold and disposed of before the said first Tuesday in April Next that then the money that has been received for any Ticket or Tickets by Virtue of this act Shall be by the said Managers repaid to the Person or Persons of whom the Same shall have been received his her or their Executors Administrators or assigns he She or they first producing the Several Tickets for which Such Payment shall be required And the Lottery hereby Erected and made shall from thence forth become Void Any thing in this Act contained to the Contrary hereof Notwithstanding And in Such Case the aforesaid Several Incidents shall be paid for out of any Money's which Shall be Appropriated for Erecting a new Goal in the City of New York On proper Certificates Signed by the Said Managers.

PROVIDED and be it Enacted That in Case the said Five thousand Tickets aforesaid be sold and disposed of in Manner



Aforesaid before the First Tuesday in April Next that then the Managers shall proceed to Drawing the Lotts in Manner Aforesaid first giving Publick Notice thereof in the New York Post Boy at least Fourteen Days before the Drawing the Same Any thing in this Act to the Contrary Notwithstanding

AND be it further Enacted by the Authority Aforesaid That if either of the before mentioned Managers Shall happen to Die Remove out of this Colony or refuse to Act According to the Several and Respective Powers and Authorities hereby directed and Required it Shall and may be lawfull to and for the Governor or Commander in chief for the time being by and with the advice and Consent of his Majesties Council to Nominate and appoint some other fit person or Persons to be Manager or Managers in the place and Stead of the Manager or Managers So Dying Removing or refusing to Act as Aforesaid Any thing herein Contained to the Contrary Notwithstanding PROVIDED That the Person or Persons who may be so appointed shall be obliged to take the like Oath enter into the like Recognizances and Sureties as is herein directed to be done by the Managers Named in this Act And be in all Respects as Subject to Observe and perform the Several directions of this Act as if he or they had been Named or appointed in it

#### [CHAPTER 1033.]

[Chapter 1033, of Van Schaick, and chapter 112 (vol. 2) of Livingston & Smith, where the title only is printed.

An Act to apply several Sums of Money  
for the Payment and Clothing of the Forces  
in the Pay of this Colony and for discharging  
the Several publick Debts therein Mentioned

[Passed December 1, 1750.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the authority of the Same That the Treasurer Shall and he is hereby directed and required out of the Residue of the Money in his hands by Virtue of an Act Entituled "An Act for Raising paying and Subsisting one Thousand seven hundred and Fifteen effective Men officers included to be employed in Conjunction with the Neighbouring Colony's on an Expedition for Reducing the French Fort at Crown point and Carrying on an offensive

"War Against the Indians who infest the Western Frontier  
 "of this Colony and other purposes therein Mentioned" To  
 Pay Unto Oliver De Lancey John Cruger and Beverly Robinson  
 Esquires the Sum of Eleven thousand Five hundred pounds  
 to be applied by them in the Pay of the Forces furnished by  
 this Colony on the Second Expedition Against Crown Point to  
 the Sixteenth Day of November in the Year of our Lord One  
 thousand Seven hundred and fifty Six AND unto the said Com-  
 missaries for the Pay of Eight Hundred and three effective  
 Men of the Said Forces officers Included to the Thirty first  
 Day of March Next the further Sum of Eight thousand Nine  
 Hundred and Fifty pounds and for providing Warm Cloathing  
 for Seven hundred and Seventy Six effective Men of the said  
 Forces the further Sum of Two thousand and Four Hundred  
 Pounds of the due disposition of all which aforesaid sums of  
 Money they the Said Oliver De Lancey John Cruger and Beverly  
 Robinson shall Render just and true Accounts on Oath to his  
 Excellency the Governor or Commander in chief for the time  
 being the Council or the General Assembly when by them or any  
 of them thereunto required

AND be it further Enacted by the authority aforesaid that  
 the aforesaid Several Sums of Money directed to be paid to the  
 before Mentioned Commissaries shall be paid by the Treasurer  
 at Such times and in Such proportions as shall be thought  
 Necessary and Expedient by his Excellency the Governor or  
 Commander in chief for the time being by and with the advice  
 and Consent of his Majesties Council of this Colony for per-  
 forming the Several and respective Services directed by this  
 Act

AND be it Enacted by the authority aforesaid that the said  
 Oliver De Lancey John Cruger and Beverly Robinson before  
 they Receive any part of the Money's hereby directed to be  
 paid unto them shall Enter into Recognizances to our Sovereign  
 Lord the King his Heirs and Successors before one of the  
 Judges OF the Supreme Court of this Colony in the Sum of  
 Twenty two thousand Eight Hundred and Fifty pounds with  
 two sufficient Sureties each in half that Sum Conditioned that  
 they will well and truly employ and apply the Moneys to be  
 received by them as aforesaid to and for the Several and Re-  
 spective uses and purposes directed by this Act and well and  
 truly to observe do and perform all the directions hereby re-

quired to be observed done and performed by them According to the true intent and Meaning of this Act Which Recognizances are to be Recorded and filed in the Supreme Court of this Colony

AND be it further Enacted by the authority aforesaid that the Treasurer shall and he is hereby required and directed out of the Funds aforesaid to pay the Several following Sums of Money VIZ:

Unto Lieutenant Daniel Ayres of Orange County Commander of a Detachment of Militia Sent in November last to guard the Western Frontiers of this Colony Against the Incursions of the Indians for himself and thirty four men for four Days at Two Shillings per Diem for himself and one Shilling and three pence per Diem for Each private man the Sum of Eight Pounds and Eighteen Shillings

Unto the Said Lieutenant Ayres Sent in December last on the like Service for himself and Twenty two Men for seven Days at the like Rate as aforesaid the sum of Ten pounds six Shillings and Six pence

Unto the said Lieutenant Ayres Sent in January last on the like Service for himself and Sixteen Men for twenty two Days at the like Rate the Sum of Twenty four pounds and four Shillings

Unto Capt. James Smith of Orange County Sent in November last on the like Service for himself and five Men for Six Days at three Shillings per Diem for himself and one shilling and three pence per Diem for each private Man the Sum of Two Pounds fifteen Shillings and Six pence

Unto the Said Capt Smith Sent in November last on the like Service with fifteen Men three Days at the like Rate the Sum of Three pounds five Shillings and three pence

Unto Capt John Wisner of Orange County Sent in November last with his Lieutenant George Bloom and forty five private Men on the like Service for three Days at three Shillings per Diem for himself two Shillings per Diem for his Lieutenant and one Shilling and three pence per Diem for each private Man the sum of Nine Pounds three Shillings and Nine pence

Unto the Said Capt Wisner sent in December last with his Lieutenant Richard Clark and twenty nine private men on the like Service six Days at the like Rate the Sum of Fifteen pounds seven shillings and six pence

Unto the Said Capt Wisner Sent in December last with Thirty one private MEN on the like Service for nineteen Days at the like Rate the sum of Thirty Seven Pounds one Shilling and three pence

Unto Lieutenant David Marvin of Orange County sent in November last with his Ensign Daniel Tuthill and forty five private men three Days on the like Service at the Rate of Two shillings per Diem for himself and Ensign and one Shilling and three pence per Diem for each private Man the sum of Nine Pounds and Nine Pence

Unto the Said Lieutenant David Martin sent in January last with Twenty private men Twenty Days on the like Service and at the like Rate the sum of Twenty Eight pounds and six Shillings

Unto Serjeant Benjamin Gregory sent in December last with Seven More private men fourteen Days on the like Service at the Rate of one shilling and three pence per Diem Each the sum of Seven pounds Ten shillings and Six pence

Unto Lieutenant John Denton of Orange County sent in December last with his Ensign Daniel Denton and Forty three private Men six Days on the like service at the Rate of Two Shillings per Diem for himself and Ensign and one shilling and three pence per Diem for each private Man the sum of Seven-  
teen Pounds six Shillings and six pence

Unto Capt. Benjamin Tusten of Orange County sent in December last with his Lieutenant Israel Seely and Thirty one private Men six Days on the like Service at the Rate of three shillings per Diem for himself Two shillings per diem for his Lieutenant and one shilling and three pence per Diem for each private Man the Sum of Thirteen Pounds

Unto the Aforesaid Ensign Tuthill sent in December last with Thirty one private Men six Days on the like Service at the Rate of Two shillings per Diem for himself and One shilling and three pence per Diem for each man the sum of Twelve Pounds four Shillings and Six pence

Unto the Said Ensign Tuthill Sent in February last with Eleven private Men two Days on the like Service and at the like Rate the sum of One pound Eleven shillings and six pence

Unto Lieutenant Calvin Bradner of Orange County sent in December last with Twenty Nine private Men Nineteen days

on the like Service and at the like Rate the Sum of Thirty six pounds sixteen Shillings and Six pence

Unto Lieutenant John Bull of Orange County Sent in January last with Twenty private men Twenty three Days on the like Service and at the like Rate the Sum of Twenty three pounds fourteen shillings and Nine pence

Unto Ensign Patrick Southerland of Orange County sent in February last with Twenty three private Men fourteen Days on the like Service and at the like Rate the Sum of Twenty One Pounds Ten Shillings and Six pence

Unto the afore-said Lieutenant Bloom Sent in February last with Nineteen PRIVATE men fifteen Days on the like Service and at the like Rate the Sum of Nineteen Pounds six Shillings and three pence

Unto Lieutenant Ruben Smith of Dutchess County Commander of a Detachment of Militia of the Said County sent in September One thousand seven hundred and fifty five to Support the Forces on the Northern Frontiers of this Colony against the Incursions of the Enemy for himself and Twenty five Men Eight Days at the Rate of three shillings per Diem for himself and two Shillings for each private Man per Diem the Sum of Twenty one Pounds and four Shilling

Unto Capt Nathan Smith of Dutchess County sent in August last with Twenty four private Men five Days on the like Service at the Rate of Four Shillings for himself and Two Shillings for each private Man per Diem the Sum of Thirteen pounds

Unto Lieutenant Moses Harris of Dutchess County sent in April last with his Ensign Enos Mead and Twenty one private Men five Days on the like Service at the Rate of three Shillings per Diem for himself and Ensign Each and Two Shillings per Diem for Each private Man the sum of Twelve Pounds.

Unto Captain Francis Brett of Dutchess County sent in September One thousand Seven hundred and fifty five on the like Service with Two Lieutenants and One Ensign and Sixty Eight private Men Eight Days and six private Men four Days at the Rate of Four Shillings per Diem for himself Three Shillings per Diem for his Lieutenants and Ensign each and Two shillings per Diem for Each private Man the sum of Sixty Nine pounds Two Shillings including the Sum of Seven Pounds Two Shillings paid by the said Brett unto Peter Bogardus for the Hire of his Sloop to Transport the said Men to Albany



Unto Lieutenant Petrus Du Bois of Dutchess County Sent in September One thousand seven hundred and fifty five with his Ensign and seventy six private Men three Days on the like Service at the Rate of three shillings per Diem for himself and Ensign each and two shillings per Diem for each private Man the sum of Twenty four Pounds and six Shillings.

Unto the said Lieutenant Du Bois Sent in April last with Twenty private Men Six Days on the like Service and at the like Rate the sum of Twelve Pounds and Eighteen shillings

Unto the Said Lieutenant Du Bois for the Hire of a Sloop to Transport his Men to Albany the sum of Five Pounds and Fifteen shillings

Unto Captain Matthias Marsh of Dutchess County sent in September One thousand Seven hundred and fifty five with one Lieutenant and sixty four private Men four Days in the like Service at the Rate of Four Shillings per Diem for himself Three shillings per Diem for his Lieutenant and Two Shillings per Diem for each private Man the Sum of Twenty seven Pounds

Unto the said Captain Marsh Sent in April last with Thirty one private Men five days on the like Service and at the like Rate the sum of Sixteen Pounds and Ten shillings.

Unto Capt. Edward Knickerbacker of Dutchess County sent in September one Thousand seven hundred and Fifty five with three Subalterns and Thirty four private Men Five Days on the like Service and at the like Rate the Sum of Twenty Pounds five Shillings

Unto the said Capt Knickerbacker sent in April last with fifteen private Men five Days on the like Service and at the like Rate the sum of Eight Pounds Ten shillings

Unto the said Capt. Knickerbacker Sent in August last with one Lieutenant and Sixteen private Men five Days on the like Service and at the like Rate the sum of Eight Pounds fifteen Shillings

Unto Capt. Francis Neher of Dutchess County sent in September One thousand Seven hundred and Fifty five with Twenty Nine private Men five Days on the like Service and at the like Rate the sum of Fifteen Pounds Ten shillings

Unto Lieutenant John Morris of Dutchess County sent in April last with Twenty one Private Men four Days on the like Service at the Rate of three shillings per Diem for himself and Two shillings per Diem for each private Man the sum of Nine Pounds

Unto Lieutenant Henry Deter of Dutchess County sent in August last with Twenty two Men Five Days on the like service and at the like Rate the sum of Eleven Pounds fifteen shillings

Unto Lieutenant John Schroom of Dutchess County sent in August last with Fourteen private Men four Days on the like Service and at the like Rate the sum of Six Pounds and Eight Shillings

Unto the aforesaid Lieutenant Du Bois sent in August last with fifteen private Men Seven Days on the like Service and at the like Rate the sum of Eleven Pounds & Eleven Shillings

Unto Captain Arnout Vicle of Dutchess County sent in April last with Twenty four private Men three Days on the like Service at the Rate of Four shillings per Diem for himself and Two Shillings per Diem for each Private Man the sum of seven Pounds and sixteen shillings

Unto Lieutenant Isaac Remine of Dutchess County sent in August last with Sixteen private Men seven Days on the like Service at the Rate of three shillings per Diem for himself and Two shillings per Diem for each private Man the sum of Twelve Pounds and Fifteen shillings

Unto Captain Cornelius Luyster of Dutchess County sent in November last with Twenty three private Men two Days on the like Service at the Rate of Four Shillings per Day for himself and Two shillings per Day for each private Man the Sum of Five Pounds and Two shillings

Unto the Said Captain Luyster Sent in September One thousand Seven hundred and fifty five with three Subalterns and Eighty Nine private men four Days on the like Service and at the like Rate the sum of Thirty Seven Pounds and Four Shillings

UNTO the said Captain Luyster sent in April last with one Lieutenant and Fifteen private Men Eight Days on the like Service and at the like Rates the sum of Thirteen Pounds and Four Shillings

Unto Captain Robert Emory of Dutchess County sent in September One thousand seven hundred and fifty five with three Subalterns and Fifty three private Men four Days on the like Service and at the like Rates the sum of Twenty three Pounds sixteen Shillings

Unto the said Captain Emory Sent in November One thousand seven hundred and Fifty five with Twenty one private Men

one Day on the like Service and at the like Rates the Sum of Two pounds six Shillings.

Unto Captain James Dickenson of Dutchess County Sent in September One thousand Seven hundred and fifty five with three Subalterns and One hundred and four private Men six Days and thirty one Men three Days on the like Service and at the like Rates the sum of Seventy five Pounds Twelve Shillings

Unto the said Captain Dickenson for one Lieutenant sent in April last with Forty five private Men six Days on the like Service at the Rate of three Shillings per Diem for the Lieutenant and Two Shillings per Diem for each private Man the sum of Twenty Seven Pounds Eighteen Shillings

Unto Captain Thomas Langdon for himself three Subalterns and seventy Eight private Men four Days in September One thousand seven hundred and Fifty five For his Lieutenant and Twenty five private Men one Day in November One thousand seven hundred and fifty five For his Lieutenant and Twenty five private Men One Day in April last And for another Lieutenant and Thirteen private Men One Day at the said time on the like Service and at the like Rates the sum of Forty Pounds and Eleven shillings

Unto Captain Thomas Wheeler of Dutchess County sent in april last with Sixteen private Men five Days on the like Service at the aforesaid Rates the sum of Nine Pounds.

Unto Captain Henry Roosekrans for himself Two Subalterns and sixty six private Men four Days in September One thousand seven hundred and fifty five For himself and Twenty private Men one Day in November One thousand seven hundred and fifty five And for his Lieutenant and Fifteen private Men three Days in April last on the like Service and at the aforesaid Rates the sum of Thirty five Pounds Eleven Shillings

Unto Captain William Humphry for himself and Forty five private Men five Days in September One thousand seven hundred and Fifty five For himself and Twenty five private Men one Day in November One thousand seven hundred and Fifty five And for himself and Twenty five private Men Five Days in April last on the like Service and at the aforesaid Rates the sum of Forty Pounds and Four Shillings

Unto Captain Henry Heermans for himself two Lieutenants and Twenty Eight Private Men five Days in September One thousand seven Hundred and Fifty five For himself and sixteen

private Men four Days in April last And for his Lieutenant and twelve private Men Six Days in August last On the like service and at the aforesaid Rates the sum of Thirty One pounds Sixteen shillings.

Unto Meyndert Palmitier for the Hire of his Sloop in September One thousand Seven hundred and fifty five to Transport part of the Militia of Dutchess County to Albany on the like Service the Sum of Three Pounds

Unto Johannes Hardenbergh Colonel of the Militia of Ulster County, For the Pay of Lieutenant Noah Eltingen and Fourteen private Men Detached from the said Militia in March last to guard the Western Frontiers of this Colony Against the Incursions of the Indians Nine Days the sum of Eight Pounds Fifteen shillings and Six Pence being at the Rate of Two Shillings per Diem for the officer and one shilling and three pence for each private Man

For the Pay of Ensign Petrus Masten and Twenty five private Men for Ten Days in March last in the like Service and at the like Rates the Sum of Sixteen Pounds Twelve shillings and six pence

For Lieutenant Elias De Puy and twenty three private Men for Ten Days in March last in the like Service and at the like Rates the sum of Fifteen Pounds Seven shillings and six pence

For Ensign John Du Mond and fourteen private Men for Nine Days in April last in the like Service and at the like Rates the sum of Eight Pounds Fifteen shillings and six pence

For Ensign John Lafever and fourteen private Men for Eight Days in April last in the like Service and at the like Rates the sum of Seven Pounds sixteen Shillings

For the Pay of Twelve private Men Sent to Shandeken in February last for forty six Days in the like service and at the like Rates the sum of Thirty four Pounds Ten shillings

For the Pay of Two Expresses Sent to General Johnson six Days Each at six Shillings per Diem the sum of three Pounds twelve shillings

For what he is engaged to pay unto Cornelius Elmendorph for Supplying Provisions for the Indians in Ulster County in April last the sum of Four Pounds & one shilling

For what he is engaged to Pay unto Johannes Masten for supplying the said Indians with Provisions the sum of Thirteen shillings.

For Sundry disbursements made by himself for the said Indians the sum of Eighteen Pounds Fifteen shillings.

For the Pay of Abraham Dejo and Jacob Huasbrook Junior for Carting Two Loads of Indian Goods for the said Indians to the Landing the sum of Twenty Shillings

And for Money's Engaged by him unto John Bayard for Disbursements for the use of the said Indians while at his House the sum of Two Pounds Two Shillings and six pence

Unto Captain Cornelius Hoornbeeck for the Pay of himself and Thirty Men Sent in December last to guard the Western Frontier of this Colony Against the Incursions of the Indians Seventeen Days at the Rate of three shillings per Diem for himself and one shilling and three pence per Diem for each private Man the Sum of Thirty four Pounds Eight Shillings and six Pence

Unto Captain John Berier junior of Ulster County for the Pay of himself and sixteen Men Sent in April last on the like Service Three Days and at the like Rates the sum of Three Pounds Nine Shillings.

Unto Lieutenant Jacob Hoornbeeck of Ulster County for the Pay of himself and Nine Men Sent in February Last on the like Service Five Days at the Rate of Two Shillings per Diem for himself and one shilling and three pence per diem for each private Man the sum of Three Pounds six Shillings and three pence

Unto Lieutenant Benjamin Hoornbeeck of Ulster County for the Pay of himself and seventeen Men Sent in May last on the like Service six Days and at the like Rates the Sum of Three Pounds fifteen shillings and Nine pence

Unto Ensign Jacob Rutsen De Wilt of Ulster County for the Pay of himself and Thirteen Men three days and one Man Two Days Sent in April last on the like Service and at the like Rate the sum of Two Pounds seventeen shillings and three pence

Unto Serjeant Abraham Klaerwater of Ulster County for himself and Eleven Men three Days Sent in May last on the like Service at the Rate of One shilling and three Pence per Diem the sum of Two Pounds Five Shillings

Unto Hendrick Surdam and Jan Lefferts Esquires for the Expence of supporting Nine of the People Called Neutral French brought here in May last from Nova Scotia and by his



Excellency's order in Council sent to the Magistrates of Flatbush in Kings County and for Sundry Disbursements for the said People the sum of Fifteen Pounds seven shillings and four pence

Unto Abraham Schenck Esquire for the Expence of supporting five of the said People sent by his Excellency's order in Council to the Magistrates of Bushwick in Kings County the sum of Fourteen Pounds four Shillings and four pence

Unto James Denton Esquire for the Expence of supporting Ten of the said People Sent by his Excellency's order in Council to the Magistrates of Jamaica in Queens County the sum of Two Pounds Fourteen shillings and Eleven pence

Unto Christopher Robert Esquire for the Expence of supporting Nine of the said People Sent by his Excellency's order in Council to the Magistrates of Flushing in Queens County the Sum of Four Pounds Two shillings and one penny

Unto Samuel Fish Junior for the Expence of supporting Ten of the Said People Sent by his Excellency's order in Council to the Magistrates of New Town in Queens County the sum of Twenty One Pounds seven shillings

Unto Joseph Kissam for the Expence of supporting Eight of the said People sent by his Excellency's order in Council to the Magistrates of Hempstead in Queens County the Sum of Ten Pounds Five Shillings and Seven pence

Unto Samuel Townsend for the Expence of supporting Nine of the said People sent by his Excellency's order in Council to the Magistrates of Oysterbay in Queens County the sum of Ten Pounds and Thirteen Shillings

Unto Eliphalet Weekes for the Expence of supporting Twelve of the said People Sent by his Excellency's order in Council to the Magistrates of Huntington in Suffolk County the sum of Thirteen Pounds

Unto Colonel Richard Floyd for the Expence of supporting Ten of the said People sent by his Excellency's order in Council to the Magistrates of Brookhaven in Suffolk County the sum of Seven Pounds Six Shillings and one penny

Unto Nathaniel Baker Esquire for the Expence of supporting seven of the said People Sent by his Excellency's order in Council to the Magistrates of Easthampton in Suffolk County the sum of Twelve Pounds Nine Shillings and Seven Pence

Unto William Walton Esquire for the Expence of supporting Thirteen of the said People Sent by his Excellency's order in Council to the Magistrates of Richmond County the sum of Seven Pounds Thirteen shillings and one penny.

Unto Jacobus Bleecker for the Expence of supporting Fifteen of the said People Sent by his Excellency's order in Council to the Magistrates of New Rochelle in Westchester County the Sum of Thirty Pounds Eighteen shillings and Nine Pence.

UNTO Gilbert Bloomer for the Expence of supporting Fourteen of the said People Sent by his Excellency's order in Council to the Magistrates of Rye in Westchester County the Sum of Twenty three pounds Nineteen Shillings

Unto Solomon Finch for going Express from Goshen to Minisink in January last by order of Colonel De Key the sum of Twelve Shillings.

Unto Captain John Wisner of Orange County for Two Guns and Two Swords by him impressed for the use of the Militia under his Command that were sent to guard the Western Frontier of this Colony against the Incursions of the Indians and were lost in the said Service the Sum of Five Pounds

Unto Doctor John Gale for his Attendance on and Applications to the Sick and Wounded People at Minisink who were sent to guard the western Frontier of this Colony the sum of Thirty Pounds

Unto Nehemiah Carpenter for Building a watch House Near the Beacon at Rockaway and for furnishing materials for the same the Sum of Five Pounds Fifteen Shillings

Unto Colonel Benjamin Seaman for the Expence of Building a watch House Near the Beacon at the Narrows on Staten Island the Sum of Twenty Pounds Fourteen shillings

UNTO Jonathan Ogden for his Services in taking care of the Colony Stores of War at Lake George from the Second Day of December One thousand seven hundred and Fifty five to the Thirtieth Day of April One thousand seven hundred and Fifty six the sum of Forty five Pounds

Unto Colo William Cockeroff for a Ballance due to him as Colonel of the Forces of this Colony on the first Expedition Against Crown point And for sundry Extraordinary Services by him performed the sum of One Hundred Pounds and Eight shillings

Unto Captain Michael Thodey for his Pay as Quarter Master of the Forces of this Colony under the Command of Colonel Cockeroft and for sundry disbursements by him Made to the Armourers and Supplying Materials for them the sum of Fifty Two Pounds sixteen shillings and Eight pence

Unto Bartholomew Le Roux for Making a peice of Plate presented to Captain Eyre Principall Engineer at Lake George the last Year as a Compliment for his Extraordinary Service in and about Erecting Fort William Henry the sum of Fifty four Pounds four Shillings

Unto James Parker for Binding Thirty two Books of the Records in the Secretary's office in the Year One thousand seven hundred and fifty four the sum of Eighteen Pounds

Unto Doctor Peter Gansevoort for taking care of two French Prisoners taken in September One thousand seven hundred and Fifty five at the Battle at Lake George untill the Twelfth day of May One thousand seven hundred and Fifty six the sum of Ten Pounds

Unto Isaac Van Hook junior for lodging and Victualling Five Sick and wounded French Prisoners taken in the said Action at Lake George in full of his account the sum of Fifty three pounds Twelve shillings

Unto Jacobus Van Slyck Esquire for keeping and Victualling the Indian John with his Family and Carrying them to Albany in October One thousand seven hundred and Fifty five the Sum of One Pound and Eight Shillings

Unto Abraham Yeates junior for Lodging and Victualling Pierre Bazignan a French Gentleman from Canada by order of his Honour the Lieutenant Governor From February One thousand seven hundred and Fifty five to April Following being seven Weeks and for his passage down to New York the sum of Four Pounds Fourteen Shillings

Unto Dirckje Van Buuren for a Negro Man and a Waggon lost in the action at Lake George in the service of this Colony in September One thousand seven hundred and Fifty five the Sum of Fifty Six Pounds

Unto Alexander Lansing and Nicholas Groot for providing Materials and for sundry Disbursements towards Repairing the Fortifications in and about Schenectady by order of his Honour the Lieutenant Governor in the Year One thousand seven hundred and Fifty five the sum of Eighty five pounds sixteen Shillings and Four pence

Unto the Honourable Joseph Murray and William Smith Benjamin Nicoll AND William Livingston Esquires Commissioners appointed by his Honour the Lieutenant Governor for Endeavouring to Settle the Bounds between this Colony and the Massachusetts Bay in Conjunction with their Commissioners at Albany in the Year One thousand seven hundred and Fifty four in full of their account against this Colony for the said Service the Sum of One hundred and Twelve Pounds

Unto Captain John Slapp of Connecticut in the service of this Colony on the first Expedition against Crown Point for the Expence of Provisions for the Company raised by him from the time of their being Raised to their arrival in Albany the sum of One hundred & Thirty pounds

Unto Captain Samuel Dimmock of Connecticut in the service of this Colony on the first Expedition Against Crown Point for the expence of Provisions for the Company raised by him from the time of their being Raised to their arrival in albany the sum of One Hundred and Thirty Pounds

Unto William Walton Esquire of Richmond County for Money Engaged by him for two Months service of two proper Persons to attend and watch at the Beacon and Alarm Gun in Richmond County the sum of sixteen Pounds

Unto Thomas Cornell Esquire of Queens County for Money Engaged by him for two months Service of two proper Persons to attend and Watch at the Beacon and Alarm Gun in the said County the sum of sixteen Pounds

Unto Johan Joost Petrie for supplying the Garrison at Oswego with Provisions in the Year One thousand seven hundred and forty Eight the sum of Two hundred and Twenty Eight Pounds

Unto the Captain Commanding the Rangers employed on the Western Frontier of this Colony the sum of six Shillings per Diem for the time that he has been Actually engaged in that Service since the Expiration of the One hundred Days first limited for that service not exceeding Forty Days Unto the Two Lieutenants Commanding under the said Captain five Shillings per Diem Each for the time they have been Actually Engaged in that service not Exceeding Forty Days and Unto sixty effective private Men three shillings per Diem Each for the Time they have been actually Engaged in the said service not Exceeding Forty Days To be ascertained by Certificates from the Respective Colonels from whose Regiments they have been taken

Unto the Honourable John Chambers Esquire for Moneys advanced by him for the Expence attending the apprehending and Convicting Owen Sullivan lately Executed for counterfeiting the Paper Currency of this Colony the sum of Seventy Eight Pounds five shillings and Ten pence

Unto Colo. Fitch Colonel of the Forces furnished by this Colony on the second Crown Point Expedition for supplying his Table the sum of Fifty Pounds.

Unto Colonel Glazier Lieutenant Colonel of the said Forces To Supply his Table the sum of Forty Pounds

Unto Major Cursa Major of the said Forces to Supply his Table the sum of Thirty Pounds.

UNTO John De Peyster and Philip Schuyler Esquires Commissaries on the first Expedition Against Crown Point for the Balance of the Accounts against this Colony to the second Day of August last the sum of One thousand Two hundred and seventy Eight Pounds seventeen shillings and Eight pence

Unto Abraham Lott junior Clerk to the General Assembly for moneys advanced by him for the Publick Service the sum of seventy Pounds seven shillings

Unto Alexander Lamb Doorkeeper to the General Assembly for providing Firewood and for several other Disbursements for the use of the General Assembly the sum of Ten Pounds.

AND WHEREAS by means of the large sums of Money now required for the publick Service and the Sum of Eleven thousand three hundred and Fifty Pounds to be paid to the Commissaries of the Forces of this Colony for keeping up a Regiment of Eight Hundred of the said Forces till the Ensuing Spring in order to be in Readiness for action as early as Possible the before mentioned Fund will fall short upwards of six Thousand Pounds to provide for which deficiency this Colony finds itself obliged to have Recourse to his Majesties Free Gift of the sum Voted by Parliament for the Northern Colonys BE IT THEREFORE ENACTED by the Authority Aforesaid that it Shall and may be Lawfull for the Treasurer and he is hereby directed and Required out of the sum of Fourteen thousand three hundred and Twenty three Pounds Fifteen shillings and three pence Sterling Remitted to this Colony by his Majesties Orders to Pay unto the aforesaid Oliver De Lancey John Cruger and Bererly Robinson in manner aforesaid such Sum of money as after the Payment of the several other services Provided for



by this Act shall be found wanting to make up the said Eleven thousand three Hundred and Fifty Pounds for the Clothing and Pay of the said Regiment untill the Thirty first day of March next

And be It Enacted by the authority aforesaid That the Treasurer shall keep Exact Books of all his Payments by Virtue of this Act and a true and just account thereof shall Render on Oath to the Governor or Commander in chief for the time being the Council or General Assembly, when by them or any of them thereunto Required

[CHAPTER 1034.]

[Chapter 1034. of Van Schaack, and chapter 113 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act for the Payment of the Salary's of the several officers of the Government to the first Day of September in the Year of our Lord One thousand seven hundred and Fifty Six.

[Passed December 1, 1756.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same That the Treasurer of this Colony shall and he is hereby directed to Pay the several following sums of Money Out of such Money's as are now in his hands Arisen before the first Day of September last by Virtue of an Act Entituled "An Act for granting unto his Majesty the several Duties and Impositions on Goods and Wares and Merchandizes Imported into this Colony therein Mentioned" By Virtue of one other act Entitled "An Act for Emitting Bills of Credit for the Payment of the Debts and for the better Support of the Government of this Colony and other purposes therein Mentioned" And by Virtue of one other Act Entituled "An Act to Restrain Hawkers and Pedlars within this Colony from selling without Licence" in the Manner and to the Persons herein after directed (to Wit)

Unto His Excellency the Governor for administring the Government of this Colony from the Third Day of September in the Year of our Lord One thousand seven hundred and Fifty five to the first Day of September in the Year of Our Lord One thousand seven Hundred and fifty six the sum of One thousand Five Hundred and sixty Pounds.

Unto his said Excellency the Governor in Consideration of the difference in the Value of the present Currency from what it was when the Aforesaid Salary was first allowed to former Governors of this Colony the further sum of Two hundred and Forty Pounds

Unto his Said Excellency the Governor for Providing Fire Wood and Candles for his Majesty's Garrison in the City of New York from the first Day of September in the Year of our Lord One thousand seven hundred and fifty five to the first Day of September in the Year of our Lord One thousand seven hundred and Fifty Six the sum of Four hundred Pounds.

To the Chief Justice of this Colony for his service in that Station and for going the Circuits from the first Day of September in the Year of our Lord One thousand Seven hundred and Fifty five to the first Day of September in the Year of our Lord One thousand Seven hundred and fifty six the sum of Three hundred Pounds

To the Second Justice of the Supreme Court of this Colony for his Service in that Station and for going the Circuits from the first Day of September in the Year of our Lord One thousand Seven hundred and fifty five to the first Day of September in the Year of our Lord One thousand Seven hundred and fifty Six the sum of One hundred and Fifty Pounds.

To the Third Justice of the supreme Court of this Colony for his Service in that Station and for going the Circuits from the first Day of September in the Year of our Lord One thousand Seven hundred and fifty five to the first Day of September in the Year of our Lord One thousand seven hundred and fifty six the sum of One hundred Pounds

To the Secretary of this Colony for Engrossing and Enrolling the Acts of the Governor Council and General Assembly from the first Day of September in the Year of our Lord One thousand seven hundred and Fifty five to the first Day of September in the Year of our Lord One thousand seven hundred and fifty six the sum of Thirty Pounds.

To the Clerk of the Council for his services in that Station from the first Day of September in the Year of our Lord One thousand seven hundred and fifty five to the first Day of September in the Year of our Lord One thousand seven hundred and Fifty Six the sum of Thirty Pounds.

To the Doorkeeper of the Council for his service in that Station from the first Day of September in the Year of our Lord

One thousand seven hundred and Fifty five to the first Day of September in the Year of our Lord One thousand seven hundred and Fifty Six the sum of Twenty Pounds.

To the Publick Printer of this Colony for his service in that Station from the first Day of September in the Year of our Lord One thousand seven Hundred and fifty five to the first Day of September in the Year of our Lord One thousand seven hundred and fifty six the sum of Fifty Pounds.

To the Gauger of Liquors Subject to Duties within this Colony from the first Day of September in the Year of our Lord One thousand seven hundred and fifty five to the first Day of September in the Year of our Lord One thousand seven hundred and Fifty six the sum of Thirty Pounds.

To the Land and Tide Waiter for his service in that Station from the first Day of September in the Year of our Lord One thousand seven hundred and fifty five to the first Day of September in the Year of our Lord One thousand seven hundred and fifty six the sum of Thirty Pounds.

To the Indian Interpreter for his Salary and for all other Services which he has done by Order of his Excellency the Governor from the first Day of September in the year of our Lord One thousand Seven hundred and Fifty five to the first Day of September in the Year of our Lord One thousand seven hundred and fifty six the sum of Ninety Pounds.

Unto Abraham De Peyster Esquire Treasurer of this Colony for his service in that Station from the first Day of September in the Year of our Lord One thousand seven hundred and Fifty five to the first Day of September in the Year of our Lord One thousand seven hundred and Fifty six the sum of Two hundred Pounds AND for the Extraordinary services which he has been obliged to perform beyond the usual Duty of his office during the said Time the further Sum of One hundred pounds.

To Robert Charles Esquire Agent for this Colony in Great Britain as a Reward for his Care trouble and Diligence in Attending his Majesty and his Ministers of state About the Affairs of this Colony from the first Day of September in the Year of our Lord One thousand seven hundred and Fifty five to the first Day of September in the Year of OUR Lord One thousand seven hundred and Fifty six the sum of Two Hundred Pounds.

To Abraham Lott Junior Clerk to the General Assembly for his services in that Station from the first Day of September in the Year of our Lord One thousand seven hundred and fifty five to the first Day of September in the Year of our Lord One thousand seven hundred and fifty six the sum of Ninety One Pounds sixteen Shillings

TO Alexander Lamb Doorkeeper to the General Assembly for his Services in that Station from the first Day of September in the Year of our Lord One thousand seven hundred and fifty five to the first Day of September in the year of Our Lord One thousand seven hundred and fifty six the sum of Thirty Eight Pounds Five shillings all which aforesaid Sums shall be paid on Warrants Issued by the Governor in Council

AND be it further Enacted by the authority aforesaid That the Treasurer Shall and he is hereby directed to keep Exact Books of the several Payments which he is directed to Make by this Act and Shall render true and Distinct accounts thereof on Oath to the Governor or Commander in chief for the time being the Council or General Assembly when by them or any of them he shall be thereunto required

#### [CHAPTER 1035.]

[Chapter 1035. of Van Schanck, and chapter 113 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act for the Payment of the salary's of the several Officers of the Government from the first Day of September in the Year of our Lord One thousand seven hundred and Fifty six to the first Day of September in the Year of our Lord One thousand seven hundred and Fifty seven.

[Passed December 1, 1756.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and It is hereby Enacted by the Authority of the Same that the Treasurer of this Colony shall and he is hereby directed to Pay the several following sums of Money out of such Money's as have or may come into his hands By Virtue of an Act Entituled "An Act for granting to his Majesty the several Duties and "Impositions on goods Wares "and Merchandizes imported into this Colony therein Men-

"tioned" By Virtue of one other Act Entituled "An Act for  
 "Emitting Bills of Credit for the Payment of the Debts and for  
 "the better Support of the Government of this Colony and other  
 purposes therein Mentioned" And by Virtue of one other Act  
 Entituled "An Act to Restrain Hawkers and Pedlars within this  
 Colony from Selling without License" In the Manner and to the  
 Persons hereinafter directed (to Wit)

Unto his Excellency the Governor or to the Governor in Chief  
 for the time being for administering the Government of this  
 Colony from the first Day of September in the Year of our Lord  
 One thousand seven hundred and Fifty six to the first Day of  
 September Which will be in the Year of our Lord One thousand  
 seven hundred and Fifty seven After the Rate of One thousand  
 one hundred and sixty Pounds per Annum

Unto his Said Excellency the Governor or to the Governor  
 in chief for the time being in Consideration of the difference in  
 the Value of the present Currency of this Colony from what it  
 was when the aforesaid Sallary was first Allowed to former  
 Governors of this Colony after the Rate of the further sum of  
 Two hundred and Forty Pounds Per annum

Unto his Said Excellency the Governor or Commander in  
 chief for the time being for Providing Fire Wood and Candles  
 for his Majesties Garrison in the City of New York from the  
 first Day of September in the Year of our Lord One thousand  
 seven hundred and Fifty six to the first Day of September which  
 will be in the Year of our Lord One thousand seven hundred and  
 fifty seven the sum of Four hundred Pounds

Unto the Chief Justice of this Colony for the time being for  
 his service in that Station and for going the Circuits from the  
 first Day of September in the Year of our Lord One thousand  
 seven hundred and Fifty six to the first Day of September which  
 will be in the Year of our Lord One thousand seven hundred  
 and Fifty seven After the Rate of Three hundred Pounds Per  
 annum

To the Second Justice of the Supreme Court of this Colony  
 for the time being for his Service in that Station and for going  
 the Circuits from the first Day of September in the Year of our  
 Lord ONE thousand seven hundred and fifty six to the first Day  
 of September which will be in the Year of our Lord One thousand  
 seven hundred and fifty seven After the Rate of One hundred  
 and Fifty Pounds Per annum



To the third Justice of the Supreme Court of this Colony for his Service in that Station and for going the Circuits when there shall be Occasion for it from the first Day of September in the Year of our Lord, One thousand seven hundred and Fifty six to the first Day of September which will be in the Year of our Lord One thousand seven hundred and Fifty seven After the Rate of One hundred pounds per Annum

To the Secretary of this Colony for the time being for Engrossing and Enrolling the Acts of the Governor Council and General Assembly from the first Day of September in the Year of our Lord One thousand seven hundred and fifty six to the first Day of September Which will be in the Year of our Lord One thousand seven hundred and Fifty seven after the Rate of Thirty Pounds Per annum

To the Clerk of the Council for the time being for his Services in that Station from the first Day of September in the Year of our Lord One thousand seven hundred and fifty six to the first Day of September which will be in the Year of our Lord One thousand seven hundred and Fifty seven After the Rate of Thirty Pounds per Annum

To the Doorkeeper of the Council for the time being for his service in that station from the first Day of September in the Year of our Lord One thousand seven hundred and Fifty six to the first Day of September which will be in the Year of our Lord One thousand seven hundred and fifty seven After the Rate of Twenty Pounds Per annum

To the Publiick Printer of this Colony for the time being for his Service in that Station from the first Day of September in the Year of our Lord One thousand seven hundred and fifty six to the first Day of September which will be in the Year of our Lord One thousand seven hundred and fifty seven After the Rate of Fifty Pounds per annum

To the Gauger of Liquors subject to Duties within this Colony for the time being from the first Day of September in the Year of Our Lord One thousand seven hundred and fifty six to the first Day of September which will be in the Year of our Lord One thousand seven hundred and Fifty seven After the Rate of Thirty Pounds per Annum

To the Land and Tidewaiter for the time being from the first Day of September in the Year of our Lord One thousand seven hundred and fifty six to the first Day of September which will be

In the Year of our Lord One thousand seven hundred and fifty seven After the rate of Thirty Pounds per Annum

ALL which Aforesaid sums shall be paid by the Treasurer Quarterly on Warrants issued by the Governor or Commander in chief for the time being by and with the advice and Consent of his Majesties Council And the Receipts of the said Several Persons Indorsed on the said Warrants shall be to the Treasurer good Vouchers and Discharges for so much as shall be thereby Acknowledged to be received

AND be it further Enacted by the Authority Aforesaid that the Treasurer shall and he is hereby directed out of the Funds Aforesaid to Pay the several other Allowances following (to Wit)

Unto Abraham De Peyster Esquire Treasurer of this Colony for his service in that Station from the first Day of September in the Year of our Lord One thousand seven hundred and Fifty six to the first Day of September which will be in the Year of Our Lord One thousand seven hundred and Fifty seven After the Rate of Two Hundred Pounds per annum AND for the Extraordinary service which he is now obliged to do and perform beyond the Usual duty of his office After the Rate of the further Sum of One Hundred Pounds per Annum WHICH Said Several Sums or so Much thereof as shall be really and truly due shall be allowed to the said Abraham De Peyster or to his Executors or Administrators as good discharges for so Much in his or their Accounts

Unto Robert Charles Esquire Agent for this Colony in Great Britian as a Reward for his care trouble and Diligence in Attending upon His Majesty and his Ministers of state About the Affairs of this Colony from the first Day of september in the Year of our Lord One thousand seven Hundred and fifty six to the first day of September which will be in the Year of Our Lord One thousand seven Hundred and fifty seven After the Rate of Two hundred Pounds per annum WHICH said sum or so much thereof as shall be really and Truly due shall be paid unto him the said Robert Charles or to his Executors or Administrators by an order of the General Assembly of this Colony signed by their Speaker for the time being and Not otherwise

Unto Abraham Lott junior Clerk of the General Assembly for his service in that Station from the first Day of September in the Year of our Lord One thousand seven hundred and Fifty

six to the first Day of September which will be in the Year of our Lord One thousand seven hundred and Fifty seven TWELVE SHILLINGS per Diem On a Certificate from the General Assembly signed by their speaker for the Number of Days he has or may serve the General Assembly

UNTO Alexander Lamb Doorkeeper to the General Assembly for his service in that Station from the first Day of September in the Year of our Lord One thousand seven hundred and fifty six to the first Day of September which will be in the Year of our Lord One thousand seven Hundred and fifty seven FIVE SHILLINGS per Diem on a Certificate from the General Assembly signed by their Speaker for the Number of Days he has served or May serve the General Assembly

AND be It further Enacted by the authority aforesaid That the Treasurer shall and he is hereby directed to keep Exact Books of the several Payments which he is directed to Make by this Act, And shall render true and Distinct accounts thereof an oath to the Governor or Commander in Chief for the time being the Council or General Assembly when by them or any of them he shall be thereunto required.

[CHAPTER 1036.]

[Chapter 1036, of Van Schaack, where the title only is printed. Chapter 114 (vol. 2) Livingston & Smith, where the act is printed in full. See chapter 608.]

An Act further to continue the Currency of the Bills of Credit Emitted by Virtue of AN ACT Entitled An Act for Emitting Bills of Credit for the Payment of the Debts and for the better Support of the Government of his Colony and other Purposes therein Mentioned

[Passed December 1, 1756.]

WHEREAS An Act Entitled "An Act for Emitting Bills of Credit for the Payment of the Debts and for the better Support of the Government of this Colony and other purposes therein mentioned" Passed in the Eleventh Year of his Majesty's Reign has by several Subsequent Acts been prolonged and Continued untill the third Tuesday in April which will be in the Year of our Lord One thousand Seven hundred and Fifty Seven AND WHEREAS the circumstances of the Colony still requir

the aid of the Interest Money Arising on the Bills of Credit issued by Virtue of the Act first Aforesaid for Supporting the Government thereof

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same That the time for which the said Interest Money stands appropriated for the Support of the Government of this Colony by the last Subsequent Act aforesaid Entituled "An Act further to prolong the Currency of the Bills of Credit Emitted by Virtue of an Act Entituled "An Act for Emitting Bills of Credit for the Payment of the Debts and for the better Support of the Government of this Colony and other Purposes therein Mentioned" shall be and hereby is deferred Removed and further prolonged untill the third Tuesday in the Month of April which will be in the Year One thousand seven hundred and Fifty Eight Any thing in any of the Aforesaid Acts to the Contrary Notwithstanding AND that at the time last Mentioned one Fourth part of the said Bills of Credit and the remainder thereof in the Three next Succeeding Years Shall be paid in Cancelled and destroyed at the times and in the Manner directed in and by an Act Entituled "An Act for the more effectual Cancelling the Bills of Credit of this Colony" Passed in the Twenty first Year of his Majesties Reign And that as well the said first Mentioned Act as one other act Entituled "An act to facilitate and explain the Duty of the Loan Officers in this Colony" Passed in the said Eleventh Year of his Majesties Reign And every the Clauses Article Matters and things in them Contained Shall be and hereby are Enacted to continue and remain of full force and Virtue to all Intents Constructions and purposes whatsoever untill the third Tuesday in April Which will be in the Year of our Lord One thousand seven hundred and Sixty One Any thing in the said Acts to the Contrary Notwithstanding

AND be it further Enacted by the Authority Aforesaid that the said Bills DURING the time they are hereby Enacted to remain Current shall continue to be put out at Interest in the same Manner and Method as in the said first Mentioned Act is directed and that all the Interest Money which may Arise on them during that time shall from Time to time be Employed to and for the support of the Government of this Colony in Such Manner as Shall by Act or Acts hereafter to be passed for that purpose be ordered and directed and Not otherwise Except

so much thereof as may be Necessary for Sinking and Cancel-  
ling the sum of Eight thousand fifty Nine Pounds fourteen shil-  
lings and Eleven pence Emitted in Bills of Credit by Virtue of  
the Act first aforesaid for Paying the Debts then due from this  
Colony

AND be it further Enacted by the Authority Aforesaid that  
The Loan officers of the several Cities and Counties within this  
Colony for the time being shall be and hereby are fully Author-  
ized and impowered to Alter the Form of all such Mortgages as  
shall by them or any of them hereafter be taken in any of their  
offices in Relation to the time and Times of Payment in Such  
Manner as to Make the same Answerable to the true Intent and  
Meaning of this Act Any thing in any the Aforesaid Acts to  
the Contrary Notwithstanding.

AND be it further Enacted by the Authority Aforesaid that  
Whensoever the Loan Officers of the several City's and Counties  
of this Colony shall from the Information of any one of the  
Supervisors in the Respective County's of this Colony or from  
the Information of the Justices and Vestry Men of the City of  
New York or the Major part of them have Sufficient Reason to  
Suspect the Insufficiency of any of the Securities taken or to be  
taken for any sums of Money Lent or to be lent out of any of  
their several Offices either as to the Value or Title of the said  
Securities they the said Loan Officers shall be and hereby are  
impowered and required to demand payment of the Principall  
Sums Notwithstanding the due payment of the Interest thereof  
or Further Sufficient Security And upon failure of due Payment  
of Such Principal sums or refusing or Neglecting to give further  
sufficient security within Fourteen Days After Such demand  
Made to proceed to the Sale of the Mortgaged Lands or to Such  
Other Remedy as is given by the first aforesaid Act According  
to the Nature of the Case And therein to Pursue the Rules  
and directions prescribed in and by the said Act Anything  
therein Contained to the contrary Notwithstanding

AND be it Enacted by the Authority Aforesaid That If any  
of the Persons who become securities for the Loan officers pur-  
suant to the first aforesaid Act shall be desirous of being dis-  
charged from continuing longer under their said Engagements  
they shall give Notice thereof in Writing to the supervisors of  
the Respective Counties or to the Mayor and Aldermen of the  
Respective Cities where they stand Engaged between the first  
Tuesday of February and the first Tuesday of March One thou-



and Seven hundred AND fifty seven And the said Supervizors or Mayor and Aldermen Respectively Shall immediately thereafter give Notice in Writing to the Respective Loan officers whose sureties so desire to be discharged that he or they do by the first Tuesday of April then Next following provide and give New surety And in case any of the Said Loan officers so Notified as aforesaid Shall fail in giving new Surety to the Satisfaction of the said Supervizors or Mayor and Aldermen respectively by the said Day Then the said Supervizors or Mayor and Aldermen respectively shall proceed to the choice of a New Loan officer or Loan Officers in the Room and Stead of Such so failing and in their proceedings thereon Shall pursue the directions of the first Aforesaid Act with respect to the choice of New Loan officers in the several Cases therein Mentioned Any thing in this or the aforesaid acts to the Contrary Notwithstanding

## [CHAPTER 1037.]

(Chapter 1037, of Van Schaack where the title only is printed Chapter 115 (vol. 2) of Livingston & Smith where the act is printed in full. See chapter 994. Continued by chapter 1046.]

An Act further to continue an Act Entitled An Act for granting to his Majesty the several Duties and Impositions on Goods Wares and Merchandizes imported into this Colony therein Mentioned

[Passed December 1, 1753.]

WHEREAS the several Duties and Impositions on goods Wares and Merchandizes imported into this Colony and granted for the support of his Majesties Government in this Colony by the Above Mentioned Act Have by subsequent acts been Continued to the first Day of January Next; And the General Assembly being Willing to Make Provision for the further Support thereof,

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly And it is hereby Enacted by the Authority of the same That the Abovesaid Act Entituled "An Act for granting to his Majesty the Several Duties and Impositions on Goods Wares and Merchandizes imported into this Colony therein Mentioned" shall be and hereby is Continued And every Clause Matter and thing therein Contained Enacted

to be and Remain in force to all Intents Constructions and purposes whatsoever from the said first Day of January Next Untill the first Day of January which will be in the Year of our Lord One thousand Seven hundred and Fifty Eight both days Inclusive

[CHAPTER 1038.]

[Chapter 1038, of Van Schaack, where the title only is printed. Chapter 116 (vol. 2) of Livingston & Smith, where the act is printed in full.]

An Act for appropriating the Moneys Raised by diverse Lottery's for Erecting on founding a College in this Colony

[Passed December 1, 1758.]

WHEREAS by diverse Acts of the Governor Council and General Assembly of this Colony Several sums of Money have been raised by Way of Lottery for the Erecting or Founding a College for the advancement of Learning in this Colony Which Sums of Money are now vested in the Trustees appointed by An Act Passed in the Twenty Fifth year of his present Majesties Reign Entituled "An act for Vesting in Trustees "the sum of Three thousand four Hundred and Forty three "pounds Eighteen shillings raised by Way of Lottery for "Erecting a College within this Colony" And hath by them been put out at Interest from time to time and not Yet disposed of by any Act for that purpose Made

BE IT THEREFORE Enacted by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That the one full and equal Moiety or half part of the said Money's raised by way of Lottery as aforesaid and the Interest and Profits of the said Money shall be and hereby is Vested in the Governors of the College of the Province of New York in the City of New York in America and shall and may be disposed of by them in Such manner as to them shall seem best for the advancement of Learning in the said College and the Receipt of the said Governors or Their Treasurer To the Treasurer of this Colony for the said one Moiety or half part of the Moneys so raised and the Interest thereof or any Security or securities for the Same or any part thereof taken shall be good and sufficient discharges to him for the same or any part thereof any thing in either of the Said Acts to the Contrary thereof Not

withstanding And the Said Governors are hereby fully Impowered and authorized in their own Name as Governors of the College of the Province of New York in the City of New York in America or in the Name or Names of the Person or Persons to whom such security or Securities is or are given or Made payable or the survivor or survivors of them or the Executors or Administrators of Such Survivor to Sue for and Recover the Moneys due on Such Security or securities to and for the use of the said College

AND BE it further Enacted by the Authority Aforesaid that the other full and equal Moiety or half part of the said Moneys raised by Way of Lottery as Aforesaid and the Interest and Profits of the said Moiety or such part thereof as shall be requisite for that purpose shall be applied for and towards the Purchasing (if Necessary) a Sufficient and Suitable Quantity of Land in or Nigh the City of New York and for Building and Erecting there on a proper Pest House for the Reception of Such Person as may be infected with any Contagious Distempers And all the Residue of the said Money shall be employed to and for the Erecting a New Publick Goal in the City of NEW YORK in Lieu of that which is now in the City Hall of the said City and the Treasurer of this Colony is hereby Required to Pay the same to the Mayor Aldermen and Commonalty of the City of New York or their order and the Receipt of the said Mayor Aldermen and Commonalty of the City of New York or their order to the Treasurer of this Colony for the said Remaining Moiety or half part of the Money's so raised and the Interest thereof or any security or securities for the Same or any part thereof taken shall be good and Sufficient discharge to him for the same or any part thereof any thing in either of the said Acts to the Contrary thereof Notwithstanding And the said Mayor Aldermen and Commonalty of the City of New York are hereby fully Authorized and impowered in their own Name or in the Same or Names of the Person or Persons to whom such Security or securities are given or Made Payable or the survivor or survivors of them or the Executors or Administrators of Such Survivor to Sue for and Recover the money due on such security or securities to and for the uses and and purposes aforesaid

AND be it further Enacted by the authority aforesaid that

the annual Sum of Five Hundred Pounds directed to be paid by the Treasurer of this Colony in and by an Act Entitled "An Act further to continue the Duty of Excise and the Currency of the Bills of Credit Emitted thereon for the purposes in the former Act and herein Mentioned" to the Trustees aforesaid for and during the Term of seven Years from the first Day of January one thousand seven hundred and fifty four shall Yearly and every Year hereafter be paid by the Treasurer of this Colony to the said Governors of the College of the Province of New York in the City of New York in America and their Successors together with all the Moneys received or that is become due for the Tuition of the Scholars in the seminary And also all the Money's received by the said Treasurer of the said annual Sum and not expended by the said Trustees except as herein After is excepted and the said Governors are hereby made liable and Chargeable with any Contract or Contracts entred into or made by the said Trustees with the chief Master or any other Masters for the Instruction of Youth in Pursuance of the Power and authority given them in and by the said Act Entitled "An Act further to Continue the Duty of Excise and the Currency of the Bills of Credit Emitted thereon for the purposes in the former Act and herein Mentioned" And the Said Trustees are hereby Absolutely and Wholly discharged and Acquitted of and from such Contract or Contracts And the Receipt of the said Governors of the said College or their Treasurer shall be from time to time a good and sufficient discharge to the Treasurer of this Colony for the same

PROVIDED ALWAYS and be it Enacted by the Authority Aforesaid that the Treasurer of this Colony shall and hereby is directed and required to apply the sum of Five Hundred Pounds part of the Said annual Sum now in his Hands or that SHALL first come into his Hands in pursuance of the said Act for and towards sinking And Cancelling the Bills of Credit of this Colony Emitted on the Credit of the Duty of Excise on Strong Liquors retailed in this Colony

And be it further Enacted by the Authority Aforesaid that the said Trustees are hereby discharged of and from any further Trust Powers and Authorities given or Granted to them in and by the said Acts or either of them

## THE TWENTY SEVENTH ASSEMBLY.

*Ninth Session.*

(Begun Feb. 15, 1757, 30 George II, Sir Charles Hardy, Governor.)

## [CHAPTER 1039.]

(Chapter 1039. of Van Schaack and chapter 117 (vol. 2) of Livingston & Smith, where the title only is printed.)

An Act for applying several Sums of Money for the Payment and Clothing of the Forces to be furnished by this Colony to Act in Conjunction with His Majesties Regular Troops and those of the Neighbouring Colony's Against the Subjects of the French King and for providing other Necessary's requisite for the said Forces.

(Passed, February 26, 1757.)

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That the Treasurer of this Colony shall and he is hereby directed and Required out of the sum of Fourteen thousand three hundred and Twenty three Pounds Fifteen shillings and three pence Sterling Allotted to this Colony by His Majesties Order Out of the sum granted by Parliament for the Northern Colony's To Pay unto Oliver De Lancey John Cruger and Beverly Robinson Esquires Commissaries and Paymasters to the Forces in the Pay of this Colony the several following sums of Money VIZt The Sum of Fifteen thousand seven hundred and Eighty Seven pounds Eight shillings and Eight pence to be by them Applied in the Payment of One Thousand effective Men officers included for Seven Months Ending the first Day of November Next who are to be employed in Conjunction with His Majesties Regular Troops and those of the Neighbouring Colony's Against the Subjects of the French King After the following Rates VIZt To one Colonel at the Rate of sixteen Shillings per Diem To Ten Captains Ten Shillings per Diem Each To Twenty Lieutenants Seven Shillings per Diem Each To Forty Serjeants one Shilling and Eight pence per Diem Each To Thirty Corporals one Shilling and six pence per Diem



each To Ten Drummers one Shilling and Six pence per Diem Each And To Eight Hundred and Eighty Nine private Men one shilling and three pence per Diem Each Deduction to be made for any deficiency in that Number by Death or otherwise which Forces they are directed to Pay in the City of Albany According to the Number in Actual Service Which shall be Ascertained by the Muster Rolls of the Several Company's Monthly delivered to the said Paymasters upon the Oath of the Several Captains of each Company or of the Commanding Officer thereof at the time of such Muster Which Oath the Said Paymasters or either of them are Impowered and Required to administer in the Words following VIZt. I A, B, do Swear that the muster Roll here produced by me is just and true and contains no more nor other Persons Names than Such as are really and truly enlisted in my Company and are now Actually and Really in Service under me Against the Subjects of the French King SO HELP ME GOD.

AND be it further Enacted by the Authority Aforesaid That the Treasurer Shall out of the aforesaid Fund Pay unto the said Commissaries the Several further Sums of Money following VIZt: The Sum of Four thousand Four hundred and Eight Pounds Nineteen Shillings to be Employed in furnishing Nine hundred and Sixty Nine of the said Forces with the following Clothing VIZt. For each Man one Blanket one Coat ONE pair of Buckskin Breeches one pair of English Shoes and Stockings and one pair of Indian Shoes and Stockings one Felt Hat and Two Shirts AND Eight hundred and Thirty Nine Pounds one Shilling and Six pence to Supply the said Forces with Tents and other Camp Necessaries OF the due disposition of all the before mentioned several Sums of Money they the said Commissaries shall keep Exact Books and a true and just Account thereof render upon Oath unto his Excellency the Governor or Commander in chief for the time being to the Council or General Assembly when by them or any of them thereunto Required.

AND be it further Enacted by the Authority Aforesaid That the said Commissaries before they Receive any part of the Money's hereby directed to be paid unto them shall Enter into Recognizances unto our Sovereign Lord the King His Heirs and successors before one of the Judges of the Supreme Court of this Colony in the Sum of Twenty One thousand pounds with

Two Sufficient Surety's each in half that sum Conditioned that they will well and truly imploy and apply the Money's to be Received by them as aforesaid to and for the Several and Respective uses and purposes directed by this Act And well and truly observe do and perform all the directions hereby required to be observed done and performed by them According to the true Intent and meaning of this Act Which Recognizances are to be filed and Recorded in the Supreme Court

AND be it further Enacted by the Authority Aforesaid That If either of the Said Commissaries Shall fail of imploying or Applying the Money's so to be Received by them in Manner and for the Respective uses directed by this Act Or omit to observe do and Perform what is hereby required to be Observed done and performed by them in Such Case or Cases the said Recognizance shall be proceeded upon in due form of Law Against such Offender or offenders or his or their Sureties in the supreme Court of this Colony wherein No Essoin Protection Wager of Law or more than one Imparance shall be allowed And the money recovered in Consequence thereof shall be paid into the Treasury of this Colony and be applied to and for such Uses as shall hereafter be directed by act or acts to be passed for that Purpose.

AND be it further Enacted by the authority aforesaid That If either of the said Commissaries shall happen to Die remove out of this Colony or refuse to act according to the several and respective powers and Authority's hereby directed and required It shall and may be lawfull to and for the Governor or Commander in chief for the time being by and with the advice and Consent of his majesties Council to Nominate and Appoint Some other Fit Person or Persons in the place and Stead of him or them So Dying Removing or refusing to Act as aforesaid And the person or Persons so appointed shall be obliged to enter into the like Recognizances with the like Sureties as herein is directed to be done by the aforesaid Commissaries before he or they be intitled to Receive any part of the Money herein before mentioned and in all other Respects Shall be as Subject to observe do and perform the several directions of this Act as if he or they had been Named or appointed in it.

AND to the End the aforesaid Commissaries may be Encouraged to do and Perform the several and Respective Services by this Act Required to be done and performed by them respect-

ively BE IT ENACTED by the Authority Aforesaid That the said Commissaries Shall be allowed to Retain in their hands the sum of Two Pounds on Every Hundred Pounds they shall employ by virtue of this Act and in that proportion for a greater or lesser Sum as a Reward for their Care and Trouble in the several and Respective Services hereby required to be done and performed by them

AND Be it further Enacted by the Authority Aforesaid That the aforesaid Several sums of Money directed to be paid to the before mentioned Commissaries Shall be paid by the Treasurer at Such times and in Such proportions as shall be thought Necessary and Expedient by his Excellency the Governor or Commander in chief for the time being by and with the advice and Consent of his Majesties Council of this Colony for performing the several and Respective services directed by this Act.

AND be it further Enacted by the authority aforesaid That the said Commissaries Shall be and hereby are empowered to apply all such Sum or sums of Money Clothing or other Necessary's as are Still in their Hands Unapplied or undisposed of of the Several Sums directed to be paid unto them and Clothing and other Necessary's to be provided by them by Virtue of an Act Entituled "An Act to apply several Sums of Money for the "payment and Clothing of the Forces in the Pay of this Colony "and for discharging the Several Publick Debts therein Mentioned" Passed in the Thirtieth Year of his present Majesties Reign towards Paying and Clothing the Forces directed to be provided for by this Act Anything in the said Act to the Contrary Notwithstanding

AND be it further Enacted by the authority aforesaid That the Treasurer shall out of the Fund Aforesaid Pay unto one Able Surgeon to be appointed by his Excellency the Governor or Commander in Chief for the time being providing himself with Two able and Sufficient Assistants to attend the Aforesaid Forces Twenty Two Shillings per Diem for the Time that he Shall Actually attend the said Forces not exceeding Seven Months to Commence from the first Day of April Next upon a proper Certificate of his Service from the Commanding officer of the said Forces. And unto the Said Surgeon to provide himself with a proper Chest of Medicines and for the use of his Instruments for the Aforesaid Service the further sum of One Hundred Pounds.

And be it further Enacted by the authority Aforesaid that the Treasurer shall keep exact Books of the Payments he is directed to Make by Virtue of this Act And a true and Just Acct. thereof Render upon Oath to the Governor or Commander in chief for the time being to the Council and to the General Assembly when by them or any of them thereunto required

[CHAPTER 1040.]

[Chapter 1040. of Van Schaack, and chapter 113 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act for the Speedy and Effectual Recruiting the Forces to be furnished by this Colony to Act in Conjunction with his Majesties Regular Troops and those of the Neighbouring Colony's against the Subjects of the French King

[Passed, February 26, 1757.]

WHEREAS it appears Necessary for his Majesties service and the security and safety of this Colony that there be an Augmentation made to the Forces now in the Pay of this Colony of Two Compleat Companies of one Hundred effective Men Each Officers included And that the Eight Companies already raised and Now in the Pay of this Colony be compleated to their full Compliment of one Hundred Effective Men Each including officers to Act in Conjunction with his Majesties Regular Troops and those of the Neighbouring Colony's against the Subjects of the French King And it may so happen that a Sufficient Number of Volunteers may not offer so Soon as the service may require their Entering upon Action

BE IT THEREFORE Enacted by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same That as Soon as it Shall Appear to his Excellency the Governor or Commander in Chief for the time being that the said Two Additional Companies of one Hundred effective Men Each Officers Included cannot be timely Compleated and the other Eight Companies Recruited to their full Compliment by Volunteers it Shall and may be Lawfull for his Excellency the Governor or Commander in Chief for the time being and he is hereby Impowered and authorized to Supply the Deficiency by Detachments from the Militia of this Colony ALWAYS PROVIDED that no more

Men shall be detached from the Several City's and County's of this Colony to Compleat the said Two Additional Companies thus according to the following proportions VIZ't.—

From the City and County of New York Twenty Eight Effective Men

From the City and County of Albany Thirty four Effective Men

From Kings County Five Effective Men

From Queens County Twenty five effective Men

From Suffolk County Twenty five Effective Men

From Richmond County Five Effective Men

From Westchester County Twenty Eight Effective Men

From Dutchess County Twenty Seven Effective Men

From Ulster County Fourteen Effective Men And

From Orange County Nine Effective Men

AND in case it shall happen that the Eight Companies already raised in the Pay of this Colony cannot be timely Recruited to their full Compliment by Volunteers it shall and may be Lawfull for his Excellency the Governor or Commander in Chief for the time being to Supply the Deficiency by Detachments from the Militia of the several City's and County's of this Colony according to the aforesaid proportions and not otherwise.

AND be it further Enacted that no Person or Persons what ever is or are by this Act Exempted from being detached for the service required by this Act Except The several Branches of the Legislature and their Necessary officers His Majesties Attorney General The Colony Treasurer High Sheriffs and Clerks of City's and County's Magistrates Ministers of the Gospel and Persons under Sixteen or Above sixty Years of age Any thing contained in any Act or Acts for Regulating the Militia of this Colony to the Contrary Notwithstanding

And be it further Enacted by the authority aforesaid that the Several and respective Colonels or next Commanding officers of the Several and Respective Regiments of Militia within this Colony Shall forthwith After Receiving his Excellency's orders for Detaching the Number of Men Wanting According to the Aforesaid proportions Send for all the Captains or Next Commanding officers of all the several companies as Well Regimented as UnRegimented Troops of Horse included of the said Several and Respective County's to attend them at such time



and place as the said Colonels or Next Commanding officers shall Appoint with the several and respective Lists on Oath of their Companies and of every other person in their District on Beat not Exempted by this Act From which lists the several and Respective Colonels or next Commanding officers together with the other Field officers shall proportion the Number of Men to be furnished by Each Company Respectively According to the Numbers Contained in the said Lists And the said Several and Respective Captains or Next Commanding officers for the Respective County's and the several and Respective Captains or next Commanding officers with the assistance of a Field officer for the City of New York shall within six Days thereafter take the proper Measure for Detaching the Number Allotted to Each Company respectively by such time as Shall be appointed by his Excellency the Governor or Commander in chief for the time being for that Purpose Each Able bodied Man who Shall before the Said Detachments be Made Enter Voluntarily into the Said Service out of any of the Said Company's to be allowed part of the Quota of Such Company And if any dispute Shall Arise among Any of the said Company's concerning the Number of Volunteers Entered into the said service out of the said Company's the same shall be examined into and finally settled by the Respective Colonels or other Field officers of the City or County where the dispute may Arise

And be it further Enacted by the Authority Aforesaid That when any of the Said Captains or Next Commanding Officers, shall order their Companies to Meet in order to raise the Quota of Men Allotted to them Respectively Every Person Duely warned to appear either personally or by Notice left at his place of Residence not only those belonging to the said Respective Company's but Such others as Reside within the Said Beat or District not exempted by this Act Who shall not attend at such time and place as shall be Appointed by the said Captain or next Commanding officer respectively shall forfeit and Pay the Sum of Ten Pounds.

AND be it further Enacted by the Authority Aforesaid That if any Person or Persons so Detached shall Refuse the Said Service he or they so Refusing shall be deemed DESERTERS and shall be proceeded Against and punished Accordingly ALWAYS PROVIDED that it Shall and may be Lawfull for the Person so Detached as aforesaid to procure an Able Bodied

Man to go in his Room and Stead And on his producing Such to the officer or officers appointed to Command the Company in which the said Detached Person was to go or to the Person or Persons appointed to Muster the said Men he the said Detached Person Shall be discharged from that service.

AND be it further Enacted by the Authority Aforesaid That If any Person or Persons within this Colony shall after the orders for making the said Detachments shall be issued and before the Said Detachments be Completed be found in any part of this Colony to which they do not belong and shall not be able to render a Satisfactory Account of him or themselves and the Business he or they are upon to the Captain of the District or Beat within whose limits they shall be found it Shall and May be Lawfull for such Captain or next Commanding Officer to Detach such person or Person on the aforesaid Service as part of the number which he is to furnish out of his Company.

AND be it further Enacted by the authority aforesaid That in Case any Person or Persons whatsoever shall Harbour Secrete or Conceal any Person Detached or enlisted as aforesaid and absenting himself from the said Service he she or they so offending shall forfeit the sum of Twenty Pounds

AND be it further Enacted by the Authority Aforesaid That If any Person or Persons whatsoever shall directly or Indirectly obstruct the said Detachments being made or shall discourage or hinder any Person from enlisting Voluntarily into the said Service or Shall under any pretence Whatsoever otherwise than by due process of Law detain any Such Person who shall hereafter Enlist Voluntarily or be detached into the said Service tho' the said Person be servant or Apprentice he she or they so Offending Shall Respectively Forfeit the Sum of Fifty Pounds.

AND be it further Enacted by the authority aforesaid That If any Captain or Next Commanding officer of a Company of Militia or any person properly Authorized to enlist Volunteers on the aforesaid Service or receive the Persons detached shall be prosecuted by any Master or Mistress of a servant or apprentice for detaching or Enlisting his her or their servant or apprentice into the aforesaid Service or for Retaining them in the said Service It shall and may be Lawfull for such Officer So Detaching or such Person So Enlisting or Retaining Such Servant or Apprentice to Plead the General Issue AND give this Act in Evidence and the plaintiff or Plaintiffs in such Suit or Suits Shall not Recover in any Such Suits but Pay all Costs

AND be it further Enacted by the authority aforesaid That no more than one Person out of a Family shall be detached and where any one of a Family shall before the said Detachments be completed enter Voluntarily into the said Service no one shall be detached out of such Family Lodgers to be accounted as part of such Family

AND be it further Enacted by the authority aforesaid That if any Colonel or Field officer shall neglect or omit to do what is Enjoyned him or them by this Act they shall respectively forfeit the sum of One hundred Pounds And any Captain or Subaltern officer or officers who shall neglect to do what is Enjoyned him or them by this Act He or they shall respectively forfeit the sum of Fifty Pounds And every non Commissioned officer who shall omit or neglect the service required of him by his Captain or next commanding officer in Executing this Act shall respectively forfeit the Sum of Twenty five Pounds All which Forfeitures and all other Forfeitures laid by this Act shall be immediately levied on the Goods and Chattles of the Defaulters Respectively or the Goods and Chattles of their Parents Masters or Mistresses by Warrant or Warrants Issued by one of the Judges of the Inferior Courts of Common Pleas of the respective County or Countys where the said Forfeiture shall Arise or by one of the Judges of the Supreme Court in the City of New York on due proof thereof made before him Which Warrants shall be directed to and Executed by the Sheriff or Sheriffs of the several City's and County's respectively The said Forfeitures when Levied shall be paid into the hands of the Supervizors of the said Respective Countys or the City Treasurer of the City of New York and be by them applied in the Repayment of such sum or sums of money as the People of the said City or County's respectively shall raise by Voluntary Contributions Among themselves for Encouraging able Bodied Men to enlist Voluntarily into the aforesaid Service in Such manner as they the said Supervizors or Mayor and Aldermen of the City of New York Respectively shall Judge Equitable And where no goods or Chattles are to be found the Defaulter or Defaulters shall be Committed to Goal there to Remain Without Bail or Mainprize for the space of six months or untill the said Forfeitures with all Costs and Charges attending the same shall be fully paid

AND that none of his Majesties Subjects who are inclined to go upon the Service aforesaid may be impeded or Debarred from Entering Voluntarily therein BE IT ENACTED by the authority Aforesaid That no person who shall enlist or Enter himself a Volunteer in the said Service shall during the same be liable to be taken therefrom by any Process or Execution Whatsoever other than for some Criminal matter unless for a Debt or other just Cause of Action and unless before the Taking out of such Process or Execution (Not being for a Criminal matter the Plaintiff or Plaintiffs therein or some other person or Persons on his or their behalf shall make affidavit before one or more Judge or Judges of the Court of Record or other Court out of which Such process or Execution shall Issue or before some Person Authorized to take affidavits in Such Courts that to his or their Knowledge the original sum Justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants in the Action or Cause of action on which such process shall Issue or the Original Debt for which such Execution shall be Issued out Amounts to the Value of Fifty Pounds Current Money of the Colony of New York over and above all Costs of suit in the same Action or in any other Action on which the same has been or shall be grounded A Memorandum of which Oath shall be marked on the back of such process or Writ For which memorandum or Oath no Fee shall be taken And if any Person shall Nevertheless be Arrested contrary to the Intent of this Act it shall and may be Lawfull for one or more Judge or Judges of such Court upon Complaint made thereof by the Party himself or by any of his Superior officers to Examine into the same by the oath of the parties or otherwise and by Warrant under his or their Hands and seals to discharge such soldier so arrested or detained Contrary to the Intent of this Act without paying any Fee or Fees upon due proof made before him or them that such soldier so arrested or detained was duly Enlisted for the service aforesaid and was arrested and Retained Contrary to the Intent of this Act

AND be it Enacted by the authority aforesaid That any Person or Persons who are willing to enlist and shall Accordingly enlist for the service aforesaid who are now detained in Goal upon Execution or any Process in any Civil Action Wherein the Original Cause of Action did not amount to the sum of Fifty Pounds shall upon producing a Certificate of such his or their Enlistment to any Judge or Judges of the Court from whence

such process Issued be discharged from Imprisonment without paying Fees PROVIDED NEVERTHELESS that such discharge shall not be deemed an Extinguishment of any such Debt but that any Plaintiff or Plaintiffs may be at liberty to proceed to Judgment and Execution against the Goods of any Such Defendant and also Against their Person or Persons After he or they shall be discharged from the said Service.

AND be it Enacted by the Authority aforesaid that no Person or Persons whatsoever who Shall Voluntarily enlist into the service aforesaid shall be detained therein longer than one Year or be liable to be impressed or Detached upon any Future Service before the End of Two years thereafter

AND to the End that no persons may be sent on the aforesaid service but such as are able bodied and fit for the Duty expected from them BE IT ENACTED by the authority Aforesaid that as well those that Enter Voluntarily as those that may be DETACHED shall be Mustered Viewed and Examined by such Person or Persons and at such time and place as his Excellency the Governor or Commander in Chief for the time being Shall Appoint And in Case any of them be found on such Examination unfit for such Service the Company or Company's Producing such unfit Person or Persons shall be obliged to supply their places with other fit and able Bodied Men

And be it further Enacted by the Authority Aforesaid that all the Forces detached or Raised by virtue of this Act shall be subject in all Cases to the like pains and Penalties as the other Forces raised in this Colony and now in the Pay thereof are subject and liable to

#### [CHAPTER 1041.]

[Chapter 1041. of Van Schaack, and chapter 119 (vol 2) of Livingston & Smith, where the title only is printed. Continued by chapter 1064.]

An Act for regulating the Pilots, and Establishing their Pilotage between Sandy Hook and the Port of New York, and other the Purposes therein Mentioned

[Passed, February 28, 1757.]

WHEREAS the Subjecting the Pilots of the Port of New York to proper Regulations will tend greatly to the safety and Conveniency of the Navigation to and from the said Port



BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That it shall and may be Lawfull for the Governor or Commander in chief of this Colony for the time being by and with the advice and Consent of his Majesties Council to appoint one fit and proper Person to be the Master, And three or more fit and Proper Persons to be the Wardens of the said Port of New York Who shall be called by the name or stile of the Master and Wardens of the Port of New York; And in like manner to appoint and Commissionate a Sufficient Number of Persons to be Branch Pilots for the said Port who shall be and hereby are impowred to Appoint Each one Deputy under them. PROVIDED that no Person shall hereafter be Commissionated as a Branch Pilot or appointed a Deputy Pilot untill he shall have been Examined before, and Obtained a Certificate of his being duely Qualified for such office under the hands and seals of the Master and Wardens of the said Port, or any three or more of them. And if any Person not so Commissionated or appointed shall Pike any Ship or Vessel going into or out of the said Port from or to Sandy Hook, when a Branch or Deputy Pilot Offers, such person shall Forfeit and Pay the sum of Five Pounds.

AND be it Enacted that the several Branch Pilots of the said Port Shall each at his own expence find and provide one good and proper sailing Boat fit for the sea and one Rowing Boat: and at all times between the first Day of March and the first Day of November they shall keep at least two of the said sailing Boats at or Near Sandy Hook, one of which Shall always, when the weather permits, be at sea without the Hook with a Pilot, ready to go on Board any Vessel appearing in the offing: And shall Also, at all times between the first Day of November and the first Day of March keep at least two Whale Boats at or Near Sandy Hook for the more ready putting Pilots on Board or taking them off from any Vessel coming into or going out of Port. And there shall be always Attending or Resident at or Near the North East Point of Sandy Hook, at least one Branch and Two Deputy Pilots unless otherwise employed in Piloting Vessels.

AND to Enable the said Branch Pilots to defray such Necessary Charges and to encourage them to give a due and Regular Attendance BE IT ENACTED That from and After the Publication of this Act all Vessels bound into or out of the Port of

New York through the Channel of Sandy Hook, (Vessels under the Burthen of Fifty Tons CARPENTERS Tonage, trading Coast wise between New York and Southwestward as far as Cape Fear Inclusive Excepted) shall be subject to Receive on Board a Pilot, and if a Pilot offers his Service, the Master of every such Vessel shall be liable to Pay the Pilotage as shall be Established in pursuance of this Act. PROVIDED that in Case the Vessels bound into the Port of New York, if the Pilot does not Board the Vessel or offer his Service without Sandy Hook he shall be Intituled to no more than half Pilotage. If not before she Enters the Channel between the East and West Bank then he shall be Intituled to no Pilotage at all unless by Agreement with the Master

AND be it Enacted that if any Branch Pilot or his Deputy shall Neglect or refuse to give all the Aid and assistance in his Power to any ship or Vessel appearing in distress on the Coast, or in want of a Pilot, such Branch Pilot, If the Governor or Commander in chief with the advice and Consent of the Council shall think fit shall forfeit his Branch, Or be fined at the discretion of the Master and Wardens aforesaid, or any three or more of them not exceeding the sum of Ten pounds; Which said Master and Wardens or any three or more of them are hereby empowered to impose such Fine: And also to Make Such Prudential Rules and orders (to be approved of by the Governor or Commander in chief with the advice and Consent of the Council) for the better Regulating the said Pilots, as they shall Judge Necessary and Expedient And to impose and lay any Fine for the Breach of such Rules and orders not exceeding the sum of Ten Pounds.

AND be it further Enacted by the authority aforesaid That the Rates and Pilotage to be demanded taken and Received by such Pilots for Piloting or being present offering to Pilot, (Except as before Excepted) Every Vessel from and without Sandy Hook into the Port of New York And from the said Port Down to Sandy Hook so far as the Vessels may proceed safely to Sea shall be settled fixed and ascertained by the said Master and Wardens, so appointed who are hereby empowered to alter and vary the said Rates during the Continuance of this Act, as may be found most Expedient and just in order to have them fixed hereafter by the Legislature on a solid and proper Foundation. Which Pilotage so established by the Master and Wardens aforesaid shall and may be Recovered before the Mayor

Deputy Mayor or Recorder of the City of New York who are hereby respectively impowered and authorized to Hear Try and Determine any Dispute or Controversy concerning the same in a summary Way and to award Execution thereupon with Costs of suit.

AND WHEREAS this act is Calculated and intended more immediately for the advantage and Preservation of Strangers than Vessels belonging to this Port, the Masters of which are many of them able and Experienced Pilots and require little or no assistance BE IT ENACTED That if the Master of any Vessel belonging to, or owned in this Port SHALL chuse to bring up or carry down his own Vessel without the assistance of a Pilot he shall not be obliged to pay more than the one half of the Established Rates nor be liable to any Extraordinary allowance that may be charged upon Each Vessel from the first Day of November to the First Day of March any thing in this act to the contrary Notwithstanding

AND to the end the said Master and Wardens may be disinterested and impartial Directors as by this Act is intended BE IT ENACTED that Neither of them so long as they are employed in this Trust shall be directly or indirectly Concerned in any Pilot Boat or with any person whatever Commissioned as a Branch Pilot.

BE IT ALSO ENACTED that the Branch Pilots of the Port of New York Already Appointed shall within one Month After the Publication hereof and the Branch Pilots hereafter to be appointed shall before they take upon them the Execution of such office respectively enter into Recognizance with Two sufficient Sureties to be Approved of by the Master and Wardens Aforesaid or any three or more of them in the penal sum of Fifty Pounds Current Money of this Colony CONDITIONED that such Pilot shall and will in all things diligently and faithfully perform and Execute the Trust reposed in him According to the directions, true Intent, and Meaning of this Act And According to Such orders and Directions as he shall from time to time receive from the said Master and Wardens of the Port of New York or any three or more of them. And on breach of such Recognizance the same shall and may be put in Suit at the request of any party complaining Who shall be intitled to and Receive such part of the penalty if recovered, as shall be Awarded and determined by the said Master and Wardens or

any three or more of them Who are hereby Authorized to take Cognizance of such Matter and Award the damages Accordingly PROVIDED ALWAYS that if the Branch Pilot so offending shall Pay to the party Aggrieved Such Damages as shall be Assessed by the Said Master and Wardens, or any three or more of them, with the Costs Accrued the proceedings upon his Recognizance shall be Stayed or discontinued

AND BE IT ENACTED that the Master and Wardens of the Port of New York for the time being, shall be and they or any two or more of them are hereby Appointed surveyors for the surveying of all Damaged Goods brought into the said Port in any ship or Vessel And in like manner with the assistance of one or more able Carpenter or Carpenters to Survey all Vessels that shall or may be Deemed or thought unfit to proceed to Sea And thereupon shall give proper Certificates under their Hands and seals as the Matter shall Appear to them, an Entry thereof they shall Cause to be made in a Book to be kept for that purpose For which Certificate and Entry their Clerk shall be Intituled to the Fee of Eight Shillings and no More, And no Such Survey ON such Goods or Vessels performed or Made in any other Manner than is herein directed and prescribed shall be Valid or Authentick

BE IT FURTHER ENACTED that before the said Master or Wardens enter upon the Execution or discharge of the said office they shall severally take an Oath before one of the Judges of the Supreme Court of this Colony in the Words following that is to say I. A. B Will Well truly and Impartially according to the best of my Skill and Understanding execute the powers Vested in Me by Virtue of An Act of the Colony of New York Entituled "An Act for Regulating the Pilots and Establishing their Pilotage between Sandy Hook and the Port of New York and other the purposes therein Mentioned" SO HELP ME GOD

AND be It further Enacted that the said Master and Wardens shall keep an office in the City of New York and provide and keep a Clerk and a proper Book or Books and therein shall Cause Regular and Fair Entries to be made of all their Transactions and proceedings in Virtue of this Act to which all persons may have Recourse And all the fines and Forfeitures Arising by this Act shall and may be sued for and Recovered by and in the Name of the Said Clerk before the Mayor or Recorder or any one

of the Aldermen of the City of New York, Who are hereby Authorized and impowered to hear and Determine the same. And all the said Fines and Forfeitures and such part of the penalty of any Recognizance recovered and Unapplied as Aforesaid shall be paid into the Hands of the said Master and Wardens or of any three or more of them And by them applied towards defraying such Necessary Expences as they shall be put to in the Discharge of the Trust reposed in them.

AND be it also Enacted by the authority aforesaid That during the Continuance of this Act it shall and may be Lawfull for the Governor or Commander in chief of this Colony for the time being by and with the advice and Consent of His Majesties Council to appoint so many Branch Pilots as shall be Judged Necessary for the safe Piloting of Vessels (when required) through the Channel in the East River Commonly called HELL GATE to and from the Port of New York The Master and Wardens as aforesaid to establish the Pilotage and also to make Such Rules and Regulations for the ordering and direction of the said Pilots as shall be Necessary and Expedient.

This act to be and Continue in force from the Publication hereof untill the first Day of March which will be in the Year our of Lord One thousand seven Hundred and Fifty Eight

#### [CHAPTER 1042.]

[Chapter 1042. of Van Schaack, where the title only is printed. Chapter 120 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 972. Continued by chapter 1048.]

#### 'AN Act to Amend an Act Entitled "An Act for Regulating the Militia of the Colony of New York"

[Passed, February 26, 1757]

WHEREAS in and by the aforesaid Act it is provided and Enacted that at the Beacons therein Appointed to be Erected a Guard or Watch shall be kept to give notice of the Approach of any Enemy by Sea Whenever the Governor or Commander in chief for the time being Shall think proper to order and direct the Same Such Watch to Consist of Detachments from the Militia of the Several County's wherein the said Beacons are appointed to be Erected But it being judged more safe to have the said Beacons Constantly Watched by fit Persons particularly Appointed for that purpose



BE it Enacted by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That whenever the Governor or Commander in Chief shall order such Watch to be kept the Colonel or Next Commanding officer of the Militia of the several and Respective Countys Where the Beacons are Erected shall be and hereby are impowered and Authorized to Appoint Two fit and proper persons to attend and Watch at the said Beacons for whose time and Attendance a Reasonable Allowance shall be made by the Supervizors of the said Several and Respective County's who shall be and hereby are impowered and Required to Cause the same to be Raised Levied and Collected with their other County Charges and the said Persons so appointed to Watch and have the care and Charge of the said Beacons shall do observe and perform all the directions of the Said Act under the penalty's therein Contained Any thing in the said Act to the Contrary Notwithstanding.

AND Whereas it is Enacted and Declared in and by the aforesaid Act That the several Rates Penalties Fines and Forfeitures which should Accrue and grow due from the People called the United Bretheren and from the People Called Quakers should be paid to the Respective City or County Treasurers where the same Should Arise and that on Nonpayment thereof Such Treasurers respectively Should forthwith make Application to any one Justice of the Peace for a Warrant to Levy the same by Distress and Sale of the offenders Goods But it not being Mentioned to whom the Said Warrant should be directed a doubt has Arisen Touching the Execution of the said Warrant for Clearing which Doubt BE IT ENACTED by the Authority Aforesaid That the said Warrant Shall be directed to and Executed by the Constables of the respective City's Towns Manors or Precincts within whose limits the said People dwell and Reside and the Money's levied by them Paid unto the respective City or County treasurers according to the directions of the said Act And in case any of the said Rates Penalties Fines and Forfeitures heretofore incurred remain yet unpaid the respective City and County Treasurers are hereby impowered Injoined and Required to cause the same to be FORTHWITH Levied After the publication of this Act

AND WHEREAS in and by the aforesaid Act it is Enacted and declared that Whenever it shall be found Necessary to Constitute and Appoint a Court Martial in Any of the Regl-

ments of this Colony The Colonel shall return himself and the Next Commanding officer of the Regiment and Twenty Four other Commissioned officers of his Regiment to the Governor or Commander in chief for the time being who shall Commissionate under the Great Seal of this Colony Thirteen out of the said Twenty six to be a Court Martial BE IT ENACTED BY THE AUTHORITY AFORESAID That the said Court Martial Shall Consist of Thirteen of the Eldest of those who shall Attend to form the said Court Martial Any thing in the aforesaid Act to the Contrary Notwithstanding

[CHAPTER 1043.]

[Chapter 1043, of Van Schaack, where the title only is printed. Chapter 121 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 1017. Continued by chapter 1090.]

An Act to Revive an Act Entitled "An Act for the better Apprehending and Securing Deserters from his Majesties Forces in North-America" with an addition thereto.

[Passed, February 26, 1757.]

WHEREAS an Act Entitled "An Act for the better Apprehending and Securing Deserters from his Majesties Forces in North America" made and passed in this Present Thirtieth Year of his Majesties Reign expired on the first Day of January last; And it Appearing Necessary, particularly at this Critical and Extraordinary Conjunction, that the Same be Revived

BE IT THEREFORE Enacted by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same, That the aforesaid Act Entitled "An Act for the better Apprehending and Securing Deserters from his Majesties Forces in North-America" Shall be and hereby is Revived and every Article Matter and Clause therein contained Enacted to be and remain in full Force to all intents Constructions and Purposes Whatsoever, from the Publication hereof untill the first Day of January which will be in the Year of our Lord One thousand seven hundred and Fifty Eight.

AND be it further Enacted by the Authority Aforesaid That If any Captain of a private Vessel of War or Master of any Trading Vessel Shall during the Continuance of this Act take on Board and Carry off or Transport out of this Colony any

Such Deserter or Deserters as are Meant and intended by the Aforesaid Act to be Apprehended seized AND taken up the Said Person or Persons so offending Shall for each Deserter he or they shall so carry off Forfeit and Pay the Sum of Fifty Pounds And every Boatman Ferry Man or other Person or Persons whomsoever who shall carry Over any River Creek Bay or Ferry within this Colony or out of this into any other Colony any Such Deserter or Deserters the Person or Persons so offending Shall for Each Such Deserter so carried over Forfeit the Sum of Ten pounds The aforesaid respective forfeitures to be paid for and Recovered in any Court of Record within this Colony by any Person or Persons who shall sue for the same and applied to his her or their use and Benefit.

And be it Enacted that this act and the act first Above Mentioned Shall be and hereby are extended and Shall be Construed to Extend to the Forces in the pay of this Colony.

#### [CHAPTER 1044.]

[Chapter 1044. of Van Schaack, and chapter 122 (vol. 2) of Livingston & Smith, where the title only is printed. See chapter 1019. Repealed by chapter 1064.]

An Act to amend an Act Entituled "An Act to limit and ascertain the Rates to be taken for Carriages Imployed or impressed in his Majesties Service in this Colony"

[Passed, February 20, 1757.]

WHEREAS an Act Entituled "An Act to limit and Ascertain the Rates to be taken for Carriages Imployed or impressed in his Majesties Service in this Colony" passed in the Twenty Ninth Year of his Majesties Reign in which the Rates to be Allowed for the use of the Waggon the Horses and for the service of the Drivers are not separately ascertained the Omission of which as these are frequently furnished by different Persons occasions many disputes and Contentions

BE IT THEREFORE Enacted by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That the one Third part of the Rate Ascertained by the aforesaid Act for the Person imployed with a Waggon and Two Horses shall be allowed to the Driver one fourth part to the owner of the waggon and the Remainder to the owner of the Horses, except in the service

from Fort Edward to Fort William Henry where the additional Allowance of Two Shillings per Diem shall be divided between the Driver of the Waggon and the Owner or Owners of the Horses in two Equal shares ALWAYS PROVIDED that as long as the Waggons Horses and Drivers do Continue in the publick Service a just Subsistence for the Driver and Horses and Repairs for the Waggon shall be allowed from the pay due to Each Driver Horses and Waggon

[CHAPTER 1015.]

[Chapter 1045, of Van Schaack, where the title only is printed. Chapter 123 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapters 980, 998 and 1055.]

An Act to Revive an Act Entituled "An  
"Act to enable the Creditors of Insolvent  
"Debtors who are willing to give up their  
"effects to dispose of the Same for the Benefit  
"of the Creditors and to release the Said  
"Debtors from Confinement"

[Passed, February 26, 1757]

WHEREAS An Act Entituled "An Act to enable the Creditors  
"of Insolvent Debtors who are willing to give up their effects  
"to dispose of the same for the benefit of the Creditors and to  
"release the said Debtors from Confinement" Made and passed  
in the Twenty Ninth Year of his Majesties Reign expired by its  
own Limitation (as to the liberty of Creditors Petitioning) on the  
first Day of January last past AND WHEREAS such Debtors  
are always proper Objects of Compassion and the said Act  
having by experience been found to Answer all the good Ends  
and Purposes intended thereby it is Conceiv'd Equitable Just  
and Reasonable that the same should be Reviv'd.

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby  
Enacted by the Authority of the same That the aforesaid Act  
Entituled "An Act to Enable the Creditors of Insolvent Debtors  
"who are willing to give up their effects to dispose of the Same  
"for the benefit of the Creditors and to release the said Debtors  
"from Confinement" Shall be and hereby is Reviv'd and Every  
Clause Article Matter and thing therein Contained Re-enacted

and Shall be and Remain in full force and Virtue to all INTENTS Constructions and purposes whatsoever from the publication hereof untill the first Day of January Which will be in the Year of our Lord One thousand seven hundred and sixty three as to the liberty of Creditors- Petitioning and no longer but shall Continue and be in force as to the Power of every Court Person Assigner or Assignees Appointed in Pursuance of the said Act untill a full and final settlement and Division shall be Made by them According to the true Intent and Meaning of the Said Act.  
[Hon. James De Lancey, Lieutenant Governor.]

## [CHAPTER 1046.]

[Chapter 1046, of Van Schaack, where the title only is printed. Chapter 124 (vol. 2) of Livingston & Smith, where the act is printed in full, see chapter 1037. Continued by chapter 1065.]

AN Act further to continue an Act Entitled an Act for Granting to his Majesty the several Duties and Impositions on goods Wares & Merchandizes Imported into this Colony therein Mentioned.

[Passed, December 21, 1757.]

WHEREAS the several Duty's and Impositions on Goods Wares and Merchandizes Imported into this Colony and granted for the Support of his Majesties Government by the above Mentioned Act have by subsequent Acts been Continued to the first day of January Next, and the General Assembly being Willing to make Provision for the further Support thereof

BE IT ENACTED by his Honour the Lieutenant Governor the Council and General Assembly and it is hereby Enacted by the Authority of the same that the abovementioned Act Entitled "An Act for granting to his Majesty the several Duties and Impositions on goods Wares and Merchandizes imported into this Colony therein Mentioned" shall be and hereby is Continued and every clause Matter and thing therein contained Enacted to be and remain in Force to all Intents Constructions and Purposes whatsoever from the said first day of January next untill the first day of January which will be in the Year of Our Lord One thousand seven hundred and Fifty Nine, both days Inclusive



## [CHAPTER 1047.]

[Chapter 1047, of Van Schaack, and chapter 125 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act for the Payment of the Salaries and Services therein Mentioned to the first day of September One thousand Seven Hundred and Fifty Eight

[Passed, December 24, 1757.]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same That the Treasurer of this Colony shall and he is hereby directed and required Out of the Money's arisen or which may arise by Virtue of the three following Acts VIZt. "An Act for granting to his Majesty the several Duties and Impositions on Goods Wares and Merchandizes imported into this Colony therein Mentioned" "An Act for Emitting Bills of Credit for the Payment of the Debts and for the better Support of the Government of this Colony and other purposes therein mentioned" And "An Act to Restrain Hawkers and Pedlars within this Colony from Selling without Licence" to Pay the several following Sums of Money VIZt.

Unto his Honour the Lieutenant Governor for Administring the Government of this Colony from the first day of September One thousand Seven hundred and Fifty Seven to the first Day of September One thousand Seven hundred and Fifty Eight after the Rate of One thousand Eight Hundred Pounds per Annum

Unto his Said Honour the Lieutenant Governor or Commander in chief for the Time being for providing Fire Wood and Candles for his Majesties Garrison in the City of New York from the first day of September One thousand Seven hundred and Fifty Seven to the first day of September One thousand Seven hundred and Fifty Eight the sum of Four Hundred Pounds

Unto the Second Justice of the Supreme Court of this Colony for his Service in that Station and for going the Circuits from the first day of September One thousand Seven hundred and Fifty Seven To the first day of September One thousand Seven hundred and Fifty Eight After the Rate of One hundred and Fifty Pounds per Annum And in Consideration of the Additional burthen of that office at present the further Sum of Fifty Pounds

Unto the Third Justice of the Supreme Court of this Colony for his Service in that Station and for going the Circuits from the first day of September One thousand Seven hundred and Fifty Seven to the first day of September One thousand Seven hundred and Fifty Eight After the Rate of One Hundred Pounds per Annum And in Consideration of the Additional burthen of that office at present the further Sum of Fifty Pounds

Unto the Secretary of this Colony for the time being for Engrossing and Enrolling the Acts of the Governor Council and General Assembly from the first Day of September One thousand Seven hundred and Fifty Seven to the first day of September One thousand Seven hundred and Fifty Eight After the Rate of Thirty Pounds per Annum

Unto the Clerk of the Council for the time being for his Services in that Station from the first day of September One thousand Seven hundred and Fifty Seven to the first day of September One thousand Seven hundred and Fifty Eight after the Rate of Thirty Pounds per Annum

Unto the Doorkeeper of the Council for the time being for his Service in that Station from the first day of September One thousand Seven hundred and Fifty Seven to the first day of September One thousand Seven hundred and Fifty Eight After the Rate of Twenty Pounds per Annum

Unto the Publick Printer of this Colony for the time being for his Service in that Station from the first day of September One thousand Seven hundred and Fifty Seven to the first day of September One thousand Seven hundred and Fifty Eight after the Rate of Fifty Pounds per Annum

Unto the Gauger of Liquors Subject to duties within this Colony for the time being from the first day of September One thousand Seven hundred and Fifty Seven to the first day of September One thousand Seven hundred and Fifty Eight after the Rate of Thirty Pounds per Annum

Unto the Land and Tidewalter for the time being from the first day of September One thousand Seven hundred and Fifty Seven to the first day of September One thousand Seven hundred and Fifty Eight After the Rate of Thirty Pounds per Annum.

ALL which aforesaid anns shall be paid by the Treasurer Quarterly on Warrants Issued by the Governor or Commander

In chelf for the time being by and with the Advice and Consent of his Majesties Council And the Receipts of the said Several Persons indorsed on the said Warrants shall be to the Treasurer good Vouchers and discharges for So much as shall be thereby Acknowledged to be received

AND BE IT FURTHER ENACTED by the Authority Aforesaid That the Treasurer Shall and he is hereby directed and Required out of the Funds Aforesaid to Pay the Several other Allowances following to Wit

Unto Abraham De Peyster Esquire Treasurer of this Colony for his Service in that Station from the first day of September One thousand Seven hundred and Fifty Seven to the first day of September One thousand Seven hundred and fifty Eight after the Rate of Two hundred Pounds per Annum And for the Extraordinary Service which he is now obliged to do and perform beyond the Usual duty of his Office after the Rate of the further Sum of One hundred Pounds per Annum Which Said Several Sums or So much thereof as shall be really and Truly due Shall be allowed to the said Abraham De Peyster or to his Executors or administrators as good discharges for So much in his or their Accounts.

Unto Robert Charles Esquire Agent for this Colony in Great Britain as a Reward for his care trouble and Diligence in Attending upon his Majesty and his Ministers of state About the Affairs of this Colony from the first day of September One thousand Seven hundred and Fifty seven to the first day of September One thousand Seven hundred and Fifty Eight After the rate of Two hundred Pounds per Annum Which Said Sum or So much thereof as Shall be really and truly due Shall be paid unto him the said Robert Charles or to his Executors or ADMINISTRATORS by an order of the General Assembly of this Colony Signed by the Speaker for the time being and not Otherwise

UNTO Abraham Lott Junior Clerk of the General Assembly for his Service in that Station from the first day of September One thousand Seven hundred and Fifty Seven to the first day of September One thousand Seven hundred and Fifty Eight Twelve shillings per Diem on a Certificate from the General Assembly Signed by their Speaker for the Number of Days he has Served or may Serve the General Assembly

Unto Alexander Lamb Doorkeeper to the General Assembly for his Service in that Station from the first day of September

One thousand Seven hundred and Fifty Seven to the first day of September One thousand Seven hundred and Fifty Eight Six Shillings per Diem on a Certificate from the General Assembly Signed by their Speaker for the Number of Days he has Served or may serve the General Assembly

AND BE IT FURTHER ENACTED by the Authority Aforesaid that the Treasurer Shall and he is hereby directed to keep exact Books of the several payments which he is directed to make by this Act And shall render true and distinct Accounts thereof on Oath to the Governor or Commander in chief for the time being the Council or General Assembly When by them or any of them he shall be thereunto required

[CHAPTER 1048.]

[Chapter 1048. of Van Schaack, where the title only is printed. Chapter 1048 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 1024. Continued by chapter 1070.]

An Act further to Continue an Act Entitled "An Act for Regulating the Militia of the Colony of New York" together with the Two Acts therein mentioned respecting the Regulating the Militia of New York with an Addition thereto

[Passed, December 24, 1757.]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and It is hereby Enacted by the Authority of the same That the Act Aforesaid Entitled an "Act for regulating the Militia of the Colony of New York" Passed in the Twenty Eighth Year of his Majesties Reign And likewise one other Act Entitled "An Act to continue an Act Entitled An Act for Regulating the Militia of the Colony of New York." with some Additions thereto" passed in the Twenty Ninth Year of his Majesty's Reign And also one other Act Entitled "An Act to Amend an Act Entitled "An Act for Regulating the Militia of the Colony of New York" passed in the Thirtieth Year of his Majesties Reign Shall be and hereby are continued and Every Clause Article Matter and thing in the said three Acts Contained Enacted to be and Remain in full force and Virtue to all Intents Constructions and Purposes whatsoever from the first Day of January Next Untill the first day of

January which will be in the year of our Lord One thousand seven hundred and Fifty Nine

And Whereas in the Counties of Ulster and Orange there are several places Inhabited which lie at a great distance from the Respective Colonels or Commanding Officers of the Regiments in the said Counties and Consequently the waiting for their orders Would Much expose such places to the Ravages of small Parties of the Enemy BE IT THEREFORE ENACTED by the Authority Aforesaid that the Captains or next Commanding officers of the several and Respective Companies within the Respective Counties Aforesaid Nearest to any such place as shall be Invaded shall immediately call together his or their Company or Companies and forthwith March them towards and use their Utmost Endeavours to Repel and drive off the Enemy And on the first Notice of such Invasion shall dispatch an Express to the Commanding officer of one of the Respective Regiments of the said counties with Intelligence thereof and of the Number and Motion of the Enemy according to the best Information he or they shall have obtained any thing in any of the said Acts to the Contrary notwithstanding

#### [CHAPTER 1049.]

[Chapter 1049, of Van Schaack, and chapter 127 (vol. 2) of Livingston & Smith, where the title only is printed. See chapter 1020. Continued by chapter 1065.]

An Act to Continue an Act Intitl'd "an Act for Erecting and Establishing a Stamp-office in this Colony for Stamping all Vellum Parchment and Paper charged with the several Duty's therein Mentioned"

[Passed, December 24, 1757.]

WHEREAS An Act Entitl'd "An Act for Erecting and Establishing a Stamp office in this Colony for Stamping all Vellum Parchment and Paper charged with the Several Duty's therein Mentioned" will expire by its own Limitation on the first Day of January Next and the said Act having been found beneficial to this Colony

BE IT THEREFORE Enacted by his Honour the Lieutenant Governor the Council and General Assembly and it is hereby Enacted by the Authority of the same that the Above mentioned Act Entitl'd "An Act for Erecting and Establishing a



"Stamp-office in this Colony for Stamping all Vellum Parchment and Paper charged with the Several duties therein Mentioned" Passed in the Thirtieth Year of his Majesties Reign Shall be and hereby is Continued and every Clause Article and Matter therein contained Enacted to be and remain of full Force and Virtue to all Constructions Intentts and Purposes whatsoever from the first day of January Next Untill the first Day of January which will be in the Year of Our Lord One thousand Seven hundred and fifty Nine

[CHAPTER 1030.]

[Chapter 1030, of Van Schanck, and chapter 128 (vol. 2) of Livingston & Smith, where the title only is printed. See chapter 1028. Continued by chapter 1009.]

'An Act TO CONTINUE an Act Entitled  
An Act for laying an Excise upon all Tea of  
foreign growth retailed within this Colony with  
an addition thereto

[Passed, December 24, 1757.]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and General Assembly And it is hereby Enacted by the Authority of the same That one Act passed in the Thirtieth Year of his Majesties Reign Entitled "An Act for laying an Excise upon all the Tea of Foreign growth retailed within this Colony" Which will (unless continued) expire on the first day of January Next, Shall be and hereby is Continued and Every Clause matter and thing therein Contained Enacted to be and Remain of Force to all Intentts Constructions and Purposes whatsoever Untill the first Day of January which will be in the Year of our Lord One thousand Seven hundred and Fifty Nine

AND WHEREAS it is provided and Enacted in and by the Aforesaid Act that the several and Respective Retailers of Tea shall keep an Exact Account of all the Tea retailed by them and the same produce to the Respective Managers Attesting thereto in the Manner directed by the said Act Which Provision being found Inconvenient by Reason of the distance many Retailers live from the said Managers for Remedy Whereof BE IT FURTHER ENACTED by the Authority Aforesaid that it Shall and may be lawfull for the several and Respective Retailers of Tea during the Continuance of this Act to attest

their Accounts before one of the Judges of the Court of Common Pleas within any of the Respective Countys of this Colony Where such Retailers dwell and Reside Which Accounts so Attested shall be Received and allowed by the aforesaid Managers Any thing In the first Mentioned Act to the Contrary, Notwithstanding

[CHAPTER 1051.]

[Chapter 1051, of Van Schaack, and chapter 129 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapters 129, 923. Continued by chapter 1243.]

An Act further to Continue an Act Entitled An Act to Prevent the Exportation of Unmerchantable flour and the false Taring of Bread and Flour Cask

{Passed, December 24, 1757.}

BE IT ENACTED by his Honour the Lieutenant Governor the Council and General Assembly and it is hereby Enacted by the Authority of the Same That one Act Entitled "An Act to prevent the Exportation of Unmerchantable Flour and the false taring of Bread and Flour Cask" passed in the Twenty fourth Year of his Majesties Reign and by a subsequent Act continued to the first day of January Next shall be and hereby is further Continued and Every Clause Matter and thing therein Contained Enacted to be and remain in full Force to all intents Constructions and purposes Whatsoever untill the first day of January which will be in the Year of our Lord One thousand seven hundred and Sixty five

AND WHEREAS it is provided and Enacted in and by the aforesaid Act that all Wheat Flour Bolted for Exportation shall by the Bolter thereof be made Merchantable and of due finess and Honestly and well Packed in good Strong Casks well made and of Staves well Seasoned with the Tare of the Cask Marked thereon and Each and Every Cask thereof well and Sufficiently Nailed on the forfeiture of One shilling for Each Cask Made Contrary to the said provision Which said Forfeiture of one shilling being conceived too high

BE IT ENACTED by the Authority Aforesaid that for and during the Continuance of this Act the Forfeiture for the said offence shall be three pence for Each Cask and no more Any thing in this or the Aforesaid Act to the Contrary Notwithstanding

[CHAPTER 1052.]

[Chapter 1052, of Van Schaack, and chapter 150 (vol. 2) of Livingston & Smith, where the title only is printed. See chapter 1031. Continued by chapter 1071.]

**An Act to continue an Act Entitled "An  
"Act for Billeting and Quartering his Majestys  
"forces within this Colony"**

[Passed, December 24, 1757.]

**BE IT ENACTED** by his Honour the Lieutenant Governor the Council and General Assembly and it is hereby Enacted by the Authority of the same that one Act Entitled "An Act for Billeting and Quartering his Majesties Forces within this Colony" passed in the Thirtieth Year of his Majesties Reign which (unless continued) will Expire on the first day of January Next shall be and hereby is Continued and every clause Matter and thing therein Contained Enacted to be and Remain of Force to all Intents Constructions and purposes whatsoever untill the first Day of January which will be in the Year of our Lord One thousand seven hundred and Fifty Nine

[CHAPTER 1053.]

[Chapter 1053, of Van Schaack, and chapter 131 (vol. 2) of Livingston & Smith, where the title only is printed. Expired January 1, 1759.]

**An Act to Regulate the Collecting the Duty  
of Excise on Strong Liquors retailed in this  
Colony from the first of January One thousand  
seven hundred and Fifty Eight to the first Day  
of January one thousand seven hundred and  
fifty Nine**

[Passed, December 24, 1757.]

**BE IT ENACTED** by His Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That Cornelius Clopper Junior shall be And hereby is appointed Commissioner for Collecting the Duty of Excise of and from the several Retailers of strong Liquors within the City and County of New York from the first day of January One thousand seven hundred and Fifty Eight to the first day of January One thousand seven hundred and Fifty Nine

AND BE IT FURTHER ENACTED by the Authority Aforesaid That the said Commissioner shall as soon after the Publication of this Act as he shall Judge Convenient Appoint the several Retailers within the said City and direct and Ascertain What Each Retailer shall Pay for the said Duty from the first day of January One thousand seven Hundred and Fifty Eight to the first day of January One thousand seven hundred and Fifty Nine ALWAYS PROVIDED that the whole sum to be laid on the several Retailers in the said City and County shall be the full and Entire sum of Nine Hundred and Fifty four Pounds with the additional sum of One Hundred pounds for his Commissions which is to be at the Rate of Five Pounds per Cent and for Incidental Charges For which Said Sum of One Hundred Pounds he shall Account on Oath And if it Exceeds his Commissions and Incidental Charges the surplus thereof shall be Applied in Ease of the Next Years Excise And the said Sum of Nine hundred and fifty four pounds shall by the said Commissioner be paid unto the Treasurer of this Colony on or before the first day of January One thousand seven hundred and Fifty Nine

AND BE IT FURTHER ENACTED by the Authority Aforesaid That the several and respective Persons hereafter Named shall be and hereby are Appointed Commissioners for Collecting the said Duty of Excise of and from the several and Respective Retailers within the several and Respective Counties of this Colony And the Harbours Bays and Rivers respectively thereunto adjoining or belonging VIZt:

For the City and County of Albany the Mayor Recorder and Aldermen of the said City

For Kings County Abraham Bloom Esquire

For Queens County Valentine Hulet Peters Esquire

For Suffolk County Richard Floyd Hugh Gelston and Samuel Langdon Esquires

For Westchester County Edward Stevenson Esquire

FOR Dutchess County James G Livingston and Barnardus Filkin Esquires

For Ulster County Johannes J Janssen

For Orange County John Carpenter and Johannes Boogert

For Richmond County Jacob Bezeau and Hezekiah Wright Esquires

AND BE IT ENACTED by the Authority Aforesaid That the Aforesaid several and Respective Commissioners or the Major part of them respectively shall as soon as they conveniently can after the Publication of this Act Meet at the County Halls of their several and respective Counties or at such other place or Places as they the said Commissioners shall respectively Appoint for putting in Execution the Powers and authorities given by this Act at which time or at such other time or times as they shall Judge Necessary the said Commissioners or the Major part of them respectively shall for their own Counties severally and Respectively fix the Number and appoint the several Retailers within their several and Respective Counties and direct and Ascertain What Each Retailer shall Pay for the said Duty of Excise from the first day of January One thousand seven hundred and Fifty Eight to the first day of January One thousand seven hundred and Fifty Nine ALWAYS PROVIDED That the sum to be laid on the Several Retailers in the City and County of Albany shall be the full and entire sum of One hundred and Twenty seven Pounds with the sum of Thirteen Pounds in addition thereto for the Charges of managing the same

On the Several Retailers in Kings County the Full and entire sum of Forty pounds with the sum of Five Pounds in addition thereto for the Charges of Managing the same

On the Several Retailers in Queens County the full and entire sum of One Hundred and Twenty five pounds with the sum of Ten Pounds in addition thereto for the Charges of Managing the same

On the several Retailers in Suffolk County the full and Entire sum of sixty Pounds with the sum of Nine Pounds in addition thereto for the Charges of Managing the same

On the several Retailers in Westchester County the full and entire sum of seventy pounds with the sum of Ten Pounds in addition thereto for the Charges of Managing the same

On the several Retailers in Dutchess County the full and entire sum of Forty two Pounds with the sum of Eight Pounds in Addition thereto for the Charges of Managing the same

On the several Retailers in Ulster County the full and entire sum of Thirty Eight Pounds with the sum of Eight Pounds in Addition thereto for the Charges of Managing the same



On the several Retailers in Orange County the full and entire sum of Nineteen Pounds with the sum of three Pounds in addition thereto for the Charges of Managing the same

And on the several Retailers in Richmond County the full and Entire Sum of Twenty five Pounds with the sum of Thirty shillings in Addition thereto for the Charges of Managing the same.

AND BE IT FURTHER ENACTED by the Authority Aforesaid That the Aforesaid several and respective Commissioners shall before they Enter on the Execution of the Powers and Authorities given by this Act Enter into Recognizances unto our Sovereign Lord the King his Heirs and successors before any Judge of the Supreme Court or of the Inferior Courts in the following sums That is to Say

The said Cornelius Clopper Junior in the Penal sum of One thousand Nine hundred & Eight Pounds

The said Valentine Hulet Peters in the Penal sum of Two hundred and Fifty Pounds

The said Abraham Bloom in the Penal sum of Eighty Pounds

The said Richard Floyd Hugh Gelston and Samuel Langdon in the Penal sum of One Hundred and Twenty Pounds

The said Edward Stevenson in the Penal sum of One hundred and Forty Pounds

The said James G Livingston and Barnardus Filkin in the Penal sum of Eighty four Pounds

The said Johannes J. Janssen in the Penal Sum of seventy Six Pounds

The said John Carpenter and Johannes Boogert in the Penal Sum of Thirty Eight Pounds

The said Jacob Rezeau and Hezekiah Wright in the Penal sum of Fifty Pounds

CONDITIONED that they shall well and Truly Pay to the Treasurer of this Colony on or before the first Day of January which will be in the Year of our Lord One thousand seven hundred and Fifty nine the several and Respective sums to be laid in Manner aforesaid on the several and Respective Retailers within their several and Respective Counties Exclusive of the Several and Respective Sums by this Act allowed for the charges of Management

AND BE IT FURTHER ENACTED by the Authority Aforesaid That the Aforesaid Several and Respective Retailers shall Pay the aforesaid Several and Respective sums laid or to

be laid on them Unto the Aforesaid several and Respective Commissioners on or before the first day of December One thousand seven hundred and fifty Eight For securing which Payment the said Commissioners shall Respectively oblige the said several and Respective Retailers to give Such Security as they the said Commissioners shall Judge Necessary ALWAYS PROVIDED That such Retailers in the City of New York as shall be Rated three Pounds and Under and such in the several Counties as shall be rated at Thirty shillings and Under shall not be permitted or have any liberty to Retail unless they immediately pay the several and Respective sums they shall be Rated to the aforesaid Commissioners Any thing herein before contained to the Contrary Notwithstanding

AND BE IT FURTHER ENACTED by the Authority Aforesaid That in Case any Person or Persons Whatsoever other than such as the said Commissioners shall Permit shall Presume to Sell any Strong Liquor by Retail directly or Indirectly he she or they so Offending Shall for each Such offence forfeit the sum of six Pounds to be recovered by the said Commissioner OR Commissioners Respectively on the Oath of any one Creditable Witness in a summary Way in the Citys of New York & Albany before the Mayor or Recorder and one or More Aldermen of the Said Cities respectively and in the several County's before any Justice of the Peace within the said Counties respectively And if upon Conviction the said Forfeiture be Not paid the same shall be levied on the Goods and Chattles of the Offender or Offenders by Warrants under the Hands and seals of the Persons before whom such Conviction shall happen And if no goods or Chattles are found on which to distrain it shall be lawfull to the Persons who heard and determined the Cause to Commit the offender or Offenders to Goal without Bail or Mainprize for the space of three Months Unless the said Penalties are sooner discharged And the said Respective Magistrates shall be and hereby are fully impowered directed and Required to hear and determine those Matters in the Manner aforesaid and to give Judgment And if need be to award Execution thereon and to Issue a Warrant or Warrants for the Commitment of offenders as the case may require One third of Which Forfeitures shall be to the Informer or Informers One third to the said Commissioners And one Third to the Poor of the Town Manor Precinct where the Offence shall be committed to be

paid into the hands of the Church wardens or Overseers of the Poor of the said Respective place or places by the officer or officers by whom the same shall be levied Anything in any of the Acts of this Colony to the Contrary Notwithstanding

AND BE IT FURTHER ENACTED by the Authority Aforesaid that the several retailers who shall be permitted and Allowed to retail by the said Commissioner or Commissioners shall before they do so Retail any strong Liquor enter into Recognizances That is to Say In the City's of New York & Albany before the Respective Mayors thereof And in the several Countries of this Colony before two Justices of the Peace in the Penal sum of Twenty pounds with Sufficient Sureties in the like Sum CONDITIONED To keep An orderly House According to Law during the time they shall be permitted to Retail as aforesaid And thereupon the said Respective Mayors or the said Justices shall grant to the Person or Persons who have Entered into such Recognizances a License under his and their hands and seals to Retail Strong Liquors in Such House and place as shall be Mentioned therein during the Continuance of this Act Which Recognizances are to be lodged by the Person or Persons before whom the Same shall be taken (VIZt) In the City's of New York and Albany with the Town Clerk and in the several Counties with the Respective Clerks thereof And upon Complaint of the breach of the said Condition it shall be lawfull for the said Mayors and Aldermen of New York and Albany or the greater Number of them And in the County's for the Justices of the General or Special Sessions of the Peace to Suppress the Licence or Licences of such Offender or Offenders.

AND BE IT FURTHER ENACTED BY THE AUTHORITY Aforesaid that in Case any of the persons who shall be permitted to Retail Strong Liquors as Aforesaid by the said Commissioner or Commissioners shall presume to Retail before he she or they have obtained a Licence and Entered into Recognizances to keep an orderly House as Aforesaid he she or they so Offending shall respectively forfeit the sum of six Pounds for each offence to be recovered in a summary way in the Manner before directed One half thereof to the Informer or Informers and the Other half to the Poor of the Town Manor or Precinct where the forfeiture shall arise

AND that the expence of being qualified to Retail may be within the Bounds of Moderation BE IT ENACTED by the Authority Aforesaid that No more shall be taken for a Licence and Recognizance in the City's of New York and Albany than the Usual and Accustomed Fees and in the Respective Counties than the sum of three shilling

AND BE IT FURTHER ENACTED by the Authority Aforesaid That such Persons permitted to Retail as aforesaid by the said Commissioner or Commissioners Who retail Strong Liquors not to be drank in their own Houses but carried elsewhere shall not be obliged to Enter into Recognizances and take Licences as aforesaid Any thing contained in this Act to the Contrary Notwithstanding

AND BE IT ENACTED by the Authority Aforesaid That in Case all the several sums for which the Excise shall be let in the several and Respective Citys & Countys of this Colony shall fall short of the sums herein before rated on the said Several & respective City's and County's with the aforesaid Incidental charges of letting and Collecting the same then the Commissioner or Commissioner Aforesaid where such Deficiencies shall Happen shall be and are hereby Impowered to call the Retailers before them and assess and Rate Such Sum and Sums upon them as shall be sufficient to Make up such Deficiency Which said Additional Sums Shall be Collected and paid in the same Manner with the several and Respective Sums first laid

AND BE IT FURTHER ENACTED by the Authority Aforesaid That in Case of the Death of any of the aforesaid respective Commissioners the Surviving Commissioner or Commissioners Where such Death may happen shall be and hereby is and are Intitled to the whole Reward and Vested with the same Powers and Authorities to Execute this act as if No such Death had happened And in case of the Death of all the Commissioners of any of the Respective Citys or County's then the Sheriff or Sheriffs for the Time being of the Citys County or Counties where such Death may happen shall be and hereby is and are Vested with all the Powers And Authorities given to the Commissioners by this Act be under the same Regulations AND Intitled to the same Reward to all Intents Constructions and purposes Whatsoever as if they had been Particularly Named and Appointed in this Act Any thing in this Act to the Contrary Notwithstanding

AND BE IT FURTHER ENACTED by the Authority Aforesaid That all the Moneys to be paid to the Treasurer of this Colony by Virtue of this Act shall be employed for and towards Cancelling the Bills of Credit struck and emitted upon the said Duty of Excise at the times and in the Manner directed in and by an Act Entitled "An Act for the more more effectual Cancelling the "Bills of Credit of this Colony" passed in the Twenty first Year of his Majesties Reign And to and for no Other use or purpose whatsoever

AND BE IT ALSO ENACTED That the Retailers in the City of New York shall Pay the Excise in three several payments or sooner as the Commissioner and they shall Agree PROVIDED ALWAYS That Nothing in this Act shall be Construed to make Void Abridge or in any Wise lessen the several Rights and privileges Granted unto the Citys of New York and Albany by their Respective Charters Any thing contained in this Act to the Contrary thereof in any wise Notwithstanding

AND BE IT FURTHER ENACTED by the Authority Aforesaid That the Treasurer of this Colony shall be and hereby is directed and required within three months After the Publication of this Act to put in Suit the Recognizances of all such Persons who are in arrear on account of the Excise farmed by former Acts of this Colony first giving Two months Notice of this direction by Advertisements to be incerted in all the Publick News Papers in this Colony And where No Recognizances are to be found The Treasurer shall be and hereby is Enabled Impowered and Authorized to bring suits in his own Name Against all and Every such Person and Persons who shall Appear to be in Arrear on Account of the said Excise or Against their Heirs Executors or Administrators And all the Money recovered in Consequence of such Suit or suits shall be Applied to the sinking and Cancelling the Bills of Credit Emitted on the Credit of the Duty of Excise at the times and in the Manner herein before directed And in Case the Treasurer shall Neglect or omit to bring or cause such Suites to be brought within the time Limited by this Act all such Sum of Money so in Arrear on the Duty of Excise which he shall so Neglect or Omit to Sue for or Cause to be Sued for shall be deemed Assets in his hands And he shall be Charged therewith as having actually Received the same



[CHAPTER 1054.]

[Chapter 1054, of Van Schaack, where the title only is printed. Chapter 132 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 923. Expired January 1, 1765. Provided for by chapter 1229.]

An Act further to Continue an Act Entitled An Act to Regulate the Guaging of Rum Brandy and other distilled Liquors and Molasses and other purposes therein Mentioned

[Passed, December 24, 1757.]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and General Assembly and it is hereby Enacted by the Authority of the same that one Act Entitled "An Act to Regulate the Guaging of Rum Brandy and other distilled Liquors and Molasses and other purposes therein Mentioned" Passed in the Twenty fourth Year of his Majesties Reign, and by a Subsequent Act continued to the first day of January Next shall be and hereby is further Continued and every Clause Matter and thing therein Contained Enacted to be and remain in Force to all Intents Constructions and Purposes Whatsoever from the said first Day of January next Untill the first day of January which will be in the Year of our Lord One thousand Seven hundred and Sixty five

[CHAPTER 1055.]

[Chapter 1055, of Van Schaack, where the title only is printed. Chapter 133 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 900. Continued by chapter 1074.]

An Act further to continue the Currency of the Bills of Credit Emitted by Virtue of an Act Entitled An Act for Emitting Bills of Credit for the Payment of the Debts and for the better Support of the Government of this Colony and other Purposes therein Mentioned

[Passed, December 24, 1757.]

WHEREAS an Act Entitled "an Act for Emitting Bills of Credit for the Payment of the Debts and for the better Support of the Government of this Colony and other purposes therein Mentioned" Passed in the Eleventh Year of His Ma-

Justices Reign has by several subsequent Acts been prolonged and Continued untill the Third Tuesday in April which will be in the Year of our Lord One thousand seven hundred and Fifty Eight AND WHEREAS the Circumstances of the Colony still require the Aid of the Interest Money Arising on the Bills of Credit Issued by Virtue of the Act first Aforesaid for supporting the Government thereof

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That the Time for which the said Interest money stands Appropriated for the support of the Government of this Colony by the last Subsequent Act Aforesaid Entitled "An Act further to prolong the Currency of the Bills of Credit Emitt'd by Virtue of an Act Entitled An Act for Emittting Bills of Credit for the Payment of the Debts and for the better Support of the Government of this Colony And other purposes therein Mentioned" Shall be and hereby is deferred Removed and further prolonged untill the Third Tuesday in the Month of April which will be in the Year of our Lord One thousand Seven hundred and fifty Nine Any thing in any of the Aforesaid Acts to the Contrary Notwithstanding And that at the time last Mentioned one fourth part of the said Bills of Credit and the remainder thereof in the three next Succeeding Years shall be paid in Cancelled and destroyed at the times and in the Manner directed in and by An Act Entitled "An Act for the more effectual Cancelling the Bills of Credit of this Colony" passed in the Twenty first Year of His Majesties Reign And that as well the said first Mentioned Act as one other Act Entitled "An Act to facilitate and Explain the Duty of the Loan-Officers in this Colony" passed in the said Eleventh Year of his Majesty's Reign And every the Clauses Articles Matters and things in them contained shall be and hereby are Enacted to continue and remain of full force and Virtue to all Intents, Constructions and purposes whatsoever untill the third Tuesday in April which will be in the Year of our Lord One thousand seven hundred and sixty Two any thing in the said Acts to the contrary Notwithstanding

AND BE IT FURTHER ENACTED by the Authority Aforesaid That the said Bills during the time they are hereby Enacted to remain Current shall continue to be put out at Interest in the same Manner and Method as in the said first Mentioned Act is directed And that all the Interest money which may arise on

them during that time shall from time TO TIME be employed to and for the support of the Government of this Colony in such Manner as shall by Act or Acts hereafter to be passed for that purpose be ordered and directed and not Otherwise Except so much thereof as may be Necessary for sinking and Cancelling the sum of Eight thousand and Fifty Nine pounds Fourteen shillings and Eleven Pence Emitted in Bills of Credit by Virtue of the Act first aforesaid for paying the Debts then due from this Colony

AND BE IT FURTHER ENACTED by the Authority Aforesaid That the Loan Officers of the several Citys and County's within this Colony for the time being shall be and hereby are fully Authorized and impowered to Alter the Form of all such Mortgages as shall by them or Any of them hereafter be taken in any of their Offices in Relation to the Time and times of Payment in such manner as to Make the same Answerable to the True intent and Meaning of this Act Any thing in any the Aforesaid Acts to the Contrary Notwithstanding

AND BE IT FURTHER ENACTED by the Authority aforesaid That Whensoever the Loan Officers of the several Citys and County's of this Colony shall from the Information of any one of the supervisors in the Respective Counties of this Colony or from the Information of the Justices and Vestry men of the City of New York or the Major part of them have sufficient Reason to Suspect the Insufficiency of any of the securities taken or to be taken for any sums of Money lent or to be lent out of any of their several Offices either as to the Value or Title of the said securities They the said Loan Officers shall be and hereby are impowered and required to demand Payment of the Principal sums Notwithstanding the due payment of the Interest thereof or further sufficient security And upon failure of due payment of such Principal sums or refusing or neglecting to give further sufficient security within fourteen Days After such demand Made to proceed to the sale of the Mortgage Lands or to such other remedy as is given by the first aforesaid Act according to the Nature of the Case and therein to pursue the Rules and directions prescribed in and by the said Act Any thing therein contained to the Contrary Notwithstanding.

AND BE IT ENACTED by the Authority Aforesaid That if any of the Persons who became securities for the Loan officers Pursuant to the first Aforesaid Act shall be desirous of being

discharged from Continuing longer under their said Engagements they shall give Notice thereof in Writing to the supervisors of the Respective Counties or to the Mayor and Aldermen of the Respective City's where they stand Engaged between the first Tuesday of February and the first Tuesday of March One thousand seven hundred and Fifty Eight And the said supervisors or Mayor and Aldermen Respectively shall immediately thereafter give notice in Writing to the Respective Loan Officers whose sureties do desire to be discharged that he or they do by the first Tuesday of April then next following provide and give new surety And in case any of the said Loan officers so notified as aforesaid shall FAIL in giving new surety to the satisfaction of the said Supervisors or Mayor and Aldermen respectively by the said Day Then the said Supervisors or Mayor and Aldermen respectively Shall proceed to the Choice of a new Loan Officer or Loan Officers in the Room and stead of such so failing And in their proceedings thereon shall pursue the directions of the first Aforesaid Act with respect to the choice of New Loan Officers in the several Cases therein Mentioned Any thing in this or the aforesaid Acts to the contrary Notwithstanding

#### [CHAPTER 1036.]

[Chapter 1036, of Van Schaack, and chapter 134 (vol. 2), of Livingston and Smith, where the title only is printed]

An Act for Raising by a Publick Lottery for this Colony the Sum of one thousand one Hundred and Twenty five Pounds towards finishing a New Goal in the City of New York.

[Passed, December 22, 1767]

IN as much as the fund appropriated for Erecting and finishing the publick Goal in the City of New York, will prove Deficient.

BE IT ENACTED by his Honour the Lieutenant Governor the Council, and the General Assembly, and it's hereby Enacted by the Authority of the same, that a Lottery be Erected within this Colony, and that for and towards Raising the sum of One thousand, One Hundred and twenty five pounds, it shall and may be Lawfull for any person or persons, Natives or foreigners, Bodies politic or Corporate, to Contribute, by paying at or before the Respective times by this Act Limited in that behalf, to any Person or Persons herein after to be appointed for that purpose,

the Sum of One pound Ten shillings, or Divers Entire Sums of One Pound Ten shillings, upon this Act, and that every Contributor or adventurer for every such sum of One Pound Ten shillings, which he, she, or they shall so advance shall be interested in Such Lott or share, of and in the said Lottery Established by this Act, as is herein after Directed and appointed, and the same Entire Sums of One pound Ten shillings each, are hereby appointed to be paid unto such Person or Persons aforesaid, on or before the first Tuesday in April next.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that Messrs Ebenezer Grant and Theodorus Van Wyck shall be Managers for Preparing and Delivering out Tickets, Receiving the Money for the Tickets, and to oversee the Drawing of Lots, and to order, do and perform such other Matters & things as are hereafter in and by this Act Directed and Appointed by such Managers to be done and performed; and that such Managers shall meet together from time to time, at some publick place, as to them shall seem most Convenient, for the Execution of the Powers and Trust in them Reposed, by this Act and that the said Managers shall Cause Books to be prepared in which every Leaf shall be Divided or Distinguished into three Columns, and upon the Innermost of the said three Columns, there shall be printed five thousand Tickets, Number one, Two, three, and so onwards, in Arithmetical progression, where the Common Excess is to be one, untill they Rise to the Number of five thousand, and upon the Middle Column in every the said Books, there shall be printed five thousand Tickets of the same breadth and form, and Numbered in Like manner, and in the Extreme Column of the said Books, there shall be printed a third Rank or series of Tickets of the Same Number, with those of the other Columns, which Tickets shall Severally be of an Oblong figure, and in the said Books shall be Joined with Oblique Lines flourishes, or Devices, in such Manner as the said Managers shall think most Safe and Convenient and that every Ticket in the Extreme or third Column of the said Books, shall have printed thereon, besides the Number, the words following Videlicet, "The Possessor of this Ticket, if drawn a prize, shall be Entitled to the Prize so drawn, Subject to such deduction as is Directed by an Act of this Colony in that behalf.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that the said Managers shall Carefully Examine, all the said Books with the Tickets therein, and that the same be



Contrived, Numbered and made according to the True intent and Meaning of this Act, and all and every such Manager or Managers Respectively, is and are hereby Directed and Required, upon his or their Receiving of Every or any Entire Sum of One pound Ten shillings in full payment for a Ticket, from any person or persons Contributing or adventuring as aforesaid to Cut out of the said Book or Books through the said Oblique Lines, flourishes, or Devices, indentwise a Ticket of the Tickets in the said Extreme Column, which one of the said Managers, shall sign with his own Name, and he or they shall permit the Contributor or adventurer (if it be desired) to write his or her Name or Mark, on the two Corresponding Tickets in the same Book, and at the same time the said Managers, or one of them, shall deliver unto the said Contributor or adventurer the Ticket so Cut off, which he, she, or they are to keep and use for the Better ascertaining and securing the Interests which he, she, or they his her or their Executors, administrators or assigns, shall or may have in the said Lottery, for the monies so by him her or them Contributed or adventured untill the said adventure, by the Drawing of Lotts, and the payment of such Tickets as shall be fortunate shall be fully Determined.

AND BE IT FURTHER ENACTED, that the said Managers at a Meeting as aforesaid shall Cause all the Tickets of the Middle Column, in the Books, to be Cut indentwise through the said Oblique Lines flourishes or Devices, and Carefully Rolled up as much a like as may be, and made fast with Thread and in the presence of such Contributors or adventurers as will be there present, Cause all the said Tickets which are to be Rolled up, and made fast, as aforesaid, to be put into a Box prepared for that purpose, and to be Marked with the Letter (A) which is presently to be put into another string Box, and to be Locked up with two Different Locks and Keys, to be kept by as many Managers, and Sealed with their seals, untill the said Tickets are to be drawn as is herein after mentioned: and that the Tickets in the first and innermost Column of the said Books shall Remain still in the Books for Discovering any mistake or fraud, if any such should happen, to be Committed Contrary to the True intent and meaning of this Act.

AND BE IT FURTHER ENACTED by the same Authority, that the Managers before mention'd shall Cause to be prepared other Books, in which every Leaf shall be divided or Distinguished in two Columns and upon the innermost of these two

Columns, there shall be printed five thousand Tickets, and upon the Outermost of the said Two Columns, there shall be printed five thousand all which shall be of equal Length and Breadth, as near as may be, which two Columns in the said Books shall be joined with some flourishes or Devices, through which the Outermost Ticket may be Cut off Indentwise, and that one thousand and ninety four Tickets, part of those to be Contained in the Outermost Column of the Books Last mentioned SHALL be Called fortunate tickets, to which Benefits shall belong as hereinafter mentioned and the said Managers shall Cause the said Fortunate Tickets to be written upon, or otherwise Expressed, as well in figures as in Words at Length, in Manner following, that is to say, upon one of them five Hundred pounds, upon one other of them two Hundred pounds, upon two other of them Severally one Hundred pounds, upon Ten other of them severally fifty pounds, upon thirty other of them Severally Twenty pounds, upon fifty other of them Severally Ten pounds, and upon one thousand of them Severally five pounds, which sums so to be written or otherwise Expressed upon the said fortunate Tickets will amount in the whole to the sum of Seven Thousand five Hundred pounds, which is the produce of five thousand Tickets according to the Valuation of one pound Ten shillings for Each Ticket, as before mentioned.

AND BE IT FURTHER ENACTED by the authority aforesaid that the Managers before mentioned shall Cause all the said Tickets Contained in the Outermost Column of the Last mentioned Books, in the presence of such Contributors or adventurers, as will then be there present, to be Cut out indentwise, through the said flourishes or Devices, and Carefully Rolled up, as near as may be alike and fastened with thread and put into another Box, to be prepared for that purpose, and to be Marked with the Letter (B) which Box shall presently be put into another strong Box, and Locked up and Sealed in the manner as the Box Lettered (A) untill these Tickets shall also be drawn in the manner and form hereafter mentioned; And that no money shall be Received from any Contributor or adventurer towards this adventure as aforesaid after the first Tuesday in April next and the whole Business of Rolling up and Cutting off and putting in the said Boxes the said Tickets and Locking up and Sealing the Said Boxes, shall be performed by the said Managers on or before ye said first Tuesday in April

Next and to the End Every person Concerned may be well assured that the Counterpart of the same Number, with his or her Ticket is put into the Box marked with the Letter (A) from whence the same may be drawn and that other matters are done as hereby Directed, some publick Notification in print shall be given of the precise time or times of the Cutting the said Tickets, and putting them into the Boxes, to the end, that Such adventurers as shall be minded to see the same done, may be present at the Doing thereof:

AND BE IT FURTHER ENACTED by the authority Aforesaid that on or before the first Tuesday in April next, the said Managers, shall Cause the said Several Boxes, with all the Tickets therein to be brought in to the City Hall of the City of New York, by Nine of the Clock in the forenoon of the same day, and shall then and there attend the service in order for Drawing, with two Clerks, with Books prepared for that purpose, to Enter down all the fortunate Tickets; and the said Managers being prepared for Drawing, shall Cause the two Boxes Containing the said Tickets, to be Severally taken out of the other two Boxes, in which they shall have been Locked up, and the Tickets or Lotts, in the Respective innermost Boxes being in the presence of the said Managers, and of such adventurers as will be there Present, for the Satisfaction of themselves, well shaken and mingled in each Box Distinctly, and some one Indifferent and fit Person to be appointed and Directed by the said Managers shall take out and Draw, one Ticket from the Box where the said Numbered Tickets shall be as aforesaid put, and another Indifferent and fit person to be appointed and Directed in Like manner shall Immediately Draw a Ticket or Lott from the Box where the one thousand and ninety four fortunate and three thousand Nine Hundred and Six Blank Tickets shall be promiscuously put as aforesaid, and immediately both the Tickets so Drawn, shall be opened, and the Number as well of the fortunate, as Blank Tickets shall be named aloud, and if the Ticket taken or Drawn from the Box, Containing the fortunate and Blank Lotts shall appear to be Blank then the Numbered Tickets so drawn, with the said Blank, at the same time drawn, shall be wrote upon Blank and shall both be put on one file and if the Ticket so drawn or taken out of the Box, containing the fortunate and Blank Lotts shall appear to be one of the fortunate Tickets then the sum Written upon such fortunate Ticket (whatsoever it may be) shall be Entered by

the Clerk so appointed, into the Books prepared for that purpose together with the Number Coming up with the said fortunate Ticket, and one of the said Managers shall set their Name as a Witness to Every such Entry; and the said fortunate and numbered Tickets so drawn together, shall be put upon another file, and so the said Drawing of the Tickets shall Continue, by taking one Ticket at a time out of each Box and with opening, naming aloud, and filing the same, and by Entering the fortunate Lotts in such manner as is before mentioned untill the whole Number of one thousand and Ninety four fortunate Tickets, shall be completely drawn and if the same Cannot be performed in one days time, the said managers shall Cause the Boxes to be Locked up and Sealed in the manner as aforesaid, and adjourn till the next day and so from Day to Day, and every day (except Sunday) and then open the same and proceed as above, till the said whole Number of Fortunate Tickets shall be completely drawn as aforesaid.

AND To the End that the Adventurers may have all possible Satisfaction in the due Regular, and just Management, of the said Lottery, BE IT ENACTED by the Authority aforesaid that the Mayor Recorder, Aldermen and Commonalty of the City of New York, may and are hereby Impowered to appoint every day during the whole Course of the Lottery, two or more of their Body to inspect all and every Transaction of the said Lottery hereby Directed and required; and that Each County in the Colony may, and are hereby impowered, if they see cause, to Depute two Justices of the peace or other Reputable freeholders, or Inhabitants for the aforesaid Inspection with proper Certificates of their being so Deputed, from the next, or any Subsequent General Sessions of the peace and the said managers are hereby Directed and Required to admit them, and the said Members of the said Corporation, to the aforesaid Inspection Accordingly.

AND BE IT FURTHER ENACTED by the Authority aforesaid that Immediately after THE Drawing be finished, the said Managers are hereby Required to publish in the New York Gazette the Numbers drawn against the fortunate Lotts with the Prizes or Sums drawn by or belonging to Each of them Respectively, and as soon as the Drawing shall be over, shall pay the said Sums to such persons who shall produce Tickets with the numbers drawn against such fortunate Lotts, they the

said managers, first deducting fifteen pr. Cent, out of the said fortunate Lotts, to be applied as herein after Directed

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any person or persons Shall forge or Counterfeit any Ticket or Tickets to be made forth on this Act, or alter any of the Numbers thereof, or bring any forged or Counterfeited Tickets, or any Ticket whereof the Number is Altered knowing the same to be such, to the said Managers, or either of them to the Intent to Defraud the Colony or any Contributor or adventurer, or the Executors, administrators or Assigns of any Contributor or adventurer upon this Act then every such person or person (being thereof Convicted in Due form of Law) shall be adjudged a felon and shall Suffer Death, as in the Case of felony, without Benefit of Clergy; and the said Managers, or either of them, are hereby Authorized, Required, and impowered, to Cause any person or persons, bringing such altered, forged, or Counterfeited Ticket or Tickets as aforesaid to be apprehended, and to Committ him her or them, to his Majesty's Goal of the City of New York to be proceeded against for the said felony according to Law.

AND BE IT FURTHER ENACTED by the Authority aforesaid that every of the managers hereby appointed, for putting this Act in Execution, before his acting in such Commission, shall take the Oath following. That is to say.

I A: B: do swear, that I will faithfully Execute the Trust Reposed in me, and that I will not use any in Direct Art or means, or permit or Direct any person to use any indirect Art or means to obtain a prize, or fortunate Lott for myself, or any person whatsoever, and that I will use the utmost of my Endeavours to prevent any undue or sinister practice to be done by any person whatsoever, and that I will to the best of my Judgment, declare to whom any prize, Lott or Ticket of Right does belong According to the True intent and meaning of the Act of the Lieutenant Governor, Council and General Assembly; passed in the Year of our Lord one thousand Seven Hundred and fifty seven in that behalf: which Oath shall be administered by one of the Justices of the supreme Court of this Colony PROVIDED ALWAYS, AND BE IT ENACTED by the Authority Aforesaid That the Managers hereby appointed, before they take the Oath presented by this Act, or perform or Execute any thing therein Contained, shall first enter into the following Recognizance to our Sovereign Lord the King, his heirs and Successors (that is to say) Each of them before one of the



Justices of the supreme Court, in the sum of Two Thousand five Hundred pounds, with two Sufficient Securities each, in half that Sum, Conditioned that they shall and will, well and Truly, Each for his part, Execute the Trust Reposed in them by this Act, and well and Truly observe do; and perform all the Directions thereby required to be done and performed, by them according to the True intent and meaning thereof, which several Recognizances are to be Delivered to the Treasurer, by the Justices before whom the same shall be so taken (having first Caused the same to be Recorded in the Minutes of the Supreme Court) in order to be Lodged in the Treasury.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the several Deductions of fifteen pounds pr: Cent upon the whole Number of fortunate Tickets, shall Remain in the Hands of the aforesaid Managers, and be by them paid unto such Persons, at such times, and in such proportion, as shall be directed by the Mayor, Recorder and Alderman of the City of New York, or the Major part of them, for the time being, for and towards finishing the New Goal Now Erected in the City of New York in Lieu of that which is now in the City Hall of the said City, and for no other use or purpose whatsoever, out of which Nevertheless, the said Managers shall retain in their own hands (in Case the Lottery be actually drawn) the Sum of fifty pounds to each of them, and for each of the two Clerks Six shillings per Diem, for every day they shall be actually Employed in said Drawing. for each of the two persons who shall Draw the Tickets, three shillings pr: Diem for every day they shall be so employed, and such further sum as shall be Requisite for paying all Reasonable Charges for Printing Books, Tickets, and advertisements, and such other incidents as may Necessarily be Required in the said Lottery.

AND BE IT FURTHER ENACTED by the Authority aforesaid that no fee or Gratuity whatsoever shall or may be demanded or taken of any person or persons, Contributors or adventurers to the Lottery aforesaid, by any Manager or Managers, or any other Officer or Officers appointed by this Act, for any thing that shall be done pursuant to this Act, upon pain, that any Officer or person Offending, by taking any fee or Gratuity Contrary to this Act, shall forfeit the sum of fifty pounds, to the party Grieved; to be Recovered, with full Costs, in any of his Majesty's Courts of Record within this Colony.

AND BE IT ENACTED by the Authority Aforesaid that in Case all the said five thousand Tickets, shall not be sold and Disposed of before the said first Tuesday in April next that then the Money that has been received for any Ticket or Tickets by Virtue of this Act, shall be, by the said Managers, Repaid to the person or persons of whom the same shall have been Received, his her, or their Executors Administrators or assigns, he she or they first producing the several Tickets, for which such payment shall be required: and the Lottery hereby Erected and made, shall from thenceforth, become Void any thing in this Act Contained to the Contrary hereof notwithstanding; And in such Case the Aforesaid several Incidents shall be paid for out of any Monies which shall be appropriated for finishing and Compleating the New Goal Now Erected in the City of New York, on proper Certificates Signed by the said Managers.

PROVIDED, AND BE IT ENACTED, that in Case the said five Thousand Tickets aforesaid be sold and Disposed of in manner aforesaid, before the first Tuesday in April next that then the Manager shall proceed to Drawing the Lotts in manner aforesaid, first Giving publick Notice thereof in the New York post Boy, at Least fourteen days before the Drawing the Same, any thing in this Act to the Contrary Notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if Either of the before mentioned Managers shall happen to Die, Remove out of the Colony, or Refuse to Act According to the several and Respective powers and Authorities hereby Directed and Required, It shall and may be Lawfull to and for the Governor, or Commander in Chief for the time being, by and with the advice and Consent of his Majesty's Council to Nominate and appoint some other fit person or persons to be Manager or Managers, in the place and stead of the Manager or Managers so Dying Removing, or Refusing to Act as aforesaid, any thing herein Contained to the Contrary Notwithstanding; PROVIDED that the person or persons who may be so appointed, shall be Obliged to take the Like Oath Enter into the Like Recognizances, and Sureties as is herein directed to be done by the Managers, Named in this Act, and be in all Respects, as Subject to Observe and Perform, the several Directions of this Act, as if he or they had been Named or Appointed in it.

## [CHAPTER 1037.]

[Chapter 1037, of Van Schaack, where the last paragraph only, of the act is printed. Chapter 135 (vol. 2), of Livingston & Smith where the act is printed in full.]

**An Act to Enable the Mayor Aldermen and Commonalty of the City of New York to raise a sum Not Exceeding Three thousand Five hundred Pounds for Erecting Barracks for his Majesties Troops Providing them with Fire Wood and Candles and other purposes therein Mentioned**

[Passed, December 24, 1757.]

WHEREAS the Free quartering of Soldiers in the City of New York has by Experience been found too unequal as well as too heavy a burthen for the Inhabitants to bear in case of whom the Corporation have Erected Proper and Convenient Barracks in addition to those Already Built and furnished them with Cribbs Beds Bolters Tables Benches Firewood Candles and other Necessaries AND WHEREAS the expense of free Quartering of Officers at the Requisition of the Earl of Loudoun together with the Necessary and Contingent Charges of the Corporation have so much Exhausted Their Treasury that they are at present unable to Pay and discharge the Debts Accrued in Building Barracks and furnishing them with Necessaries without the Aid and Assistance of the Legislature Which Aid and assistance the Corporation of the City of New York have most humbly Prayed

BE IT THEREFORE Enacted by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same That it Shall and may be lawfull for the Mayor Recorder Aldermen and Assistants of the City of New York for the time being in Common Council convened or so many of them as do Make a common Council at such time as they shall Judge most Convenient after the Publication of this Act To order the Raising a sum Not Exceeding Three thousand five hundred Pounds by a Tax upon the Estates Real and personal of all and every the Freeholders Freemen Inhabitants Residents and Sojourners within the City of New York Pursuant to Which Order in Common Council so made

the Mayor of the said City for the Time being shall forthwith thereupon issue his Warrants to the Assessors and Collectors of each Respective Ward within the said City for the time being to make such assessments and Collections and upon Neglect Refusal or Nonpayment the said Collectors are hereby Authorized to levy the same by distress and Sale of the Goods and Chattles of such Person or Persons who shall Neglect Refuse or delay to Pay the Same restoring to the owner the overplus if any be All which sum of money to be levied Collected and paid as Aforesaid shall be paid by the Respective Collectors aforesaid unto the Mayor Aldermen and Commonalty of the City aforesaid for the time being at their City Hall on the first day of April Next between the Hours of Ten and Twelve in the forenoon And be by them Applied and disposed of in Payment and discharge of the Expences in Building the said Barracks furnishing the same with Necessary's and other Contingent charges attending the Same

AND BE IT ENACTED by the Authority Aforesaid that the said Mayor Recorder and Aldermen of the City of New York for the time being or the Major part of them shall have Power and Authority by Virtue of this Act and are required to administer an Oath to the said Assessors and every of them Well Truly Equally Impartially and in due Proportion according to the best of their Understanding to assess and rate all and every the Freeholders Freemen Inhabitants Residents and Sojourners of the Respective Wards for which they are chosen Assessors.

AND BE IT FURTHER ENACTED by the Authority Aforesaid that If the Mayor Recorder Aldermen or Assistants of the City of New York for the time being who are hereby required impowered and Authorized to take effectual care that this Act be duly Executed according to the True Intent and meaning thereof shall deny refuse Neglect or delay to perform and Execute all or any of the Powers Duties and Authorities by this Act Required of them or any of them to be done or If any Person or Persons who are or shall be Chosen Assessors or Collectors in the said City of New York for each Respective Ward thereof shall Deny Refuse Neglect or delay to make Such Assessment as by this Act is required or shall Deny Neglect or Refuse to Collect and Pay any sum or Sums of Money in manner before mentioned said Taxed and assessed and shall thereof be lawfully Convicted in the Supreme

Court he or they shall Suffer such Pains by Fine and Imprisonment as by the discretion of the Judges of the said Court shall be adjudged

AND BE IT FURTHER ENACTED BY THE AUTHORITY AFORESAID that over and above the said Sum of Three thousand and Five hundred Pounds to be levied and paid by Virtue of this Act the Sum of Nine pence in the Pound for the Collectors shall be assessed levied and Paid to the Respective Collectors for Collecting and Paying the same According to the true Intent and meaning of this Act Any thing herein Contained to the Contrary Notwithstanding

AND BE IT FURTHER ENACTED by the Authority Aforesaid that the property of the Lands and Soil whereon the said Barracks are Built and Erected or any other Barracks that shall hereafter be built or Erected upon the soil and property belonging to the said City shall continue and remain to be in Right Title Interest and Property belonging to the Mayor Aldermen and Commonalty of the City of New York for the time being for the relief of the Inhabitants of the said City from Billeting of Soldiers in time of War And to be Let hired out and disposed of upon Rents or Otherwise in times of Peace and at all other times when the said Service by Billeting of soldiers shall not necessarily require the same as the Mayor Aldermen and Commonalty of the City Aforesaid for the time being shall think fit

[CHAPTER 1038.]

[Chapter 1038, of Van Schaack, and chapter 136 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act to raise Levy and Collect the Sum of Fifty Pounds in the City and County of New York for services performed by the Coroner of the said City and County,

[Passed, December 24, 1757.]

WHEREAS John Burnet the present Coroner of the City and County of New York hath taken during the Space of Near four Years Twenty two Inquests on the Dead Bodys of Poor Persons and advanced money for the said Services for which he hath received No Allowance or Reward and it being Conceivd just and Reasonable that he should be allowed and paid for his Trouble and Expence therein the sum of Fifty Pounds Includ-



lected and Paid in manner following that is to Say The sum of Nine Thousand Pounds on or before the first Tuesday in November which will be in the Year of our Lord One thousand seven Hundred and Fifty-Nine And the like Sum of Nine thousand Pounds on or before the first Tuesday in November which will be in the Year of Our Lord One thousand seven hundred and Sixty The sum of Eight thousand Pounds on or before the first Tuesday in November which will be in the Year of our Lord One thousand seven hundred and Sixty one The like Sum of Eight thousand Pounds on or before the first Tuesday in November which will be in the Year of our Lord one Thousand seven and sixty Two The like sum of Eight Thousand Pounds on or before the first Tuesday in November which will be in the Year of our Lord One thousand seven hundred and sixty three The like Sum OF Eight thousand Pounds on or before the first Tuesday in November which will be in the Year of our Lord One thousand seven hundred and Sixty Four and The like Sum of Eight thousand Pounds on or before the first Tuesday in November which will be in the Year of our Lord One thousand seven hundred and Sixty five The sum of Twenty one Thousand Pounds on or before the first Tuesday in November which will be in the Year of our Lord One Thousand Seven hundred and sixty six And the like Sum of Twenty one thousand Pounds on or before the first Tuesday in November which will be in the year of our Lord One thousand seven hundred and sixty seven Which Said Sums of Nine Thousand Pounds The said Sums of Eight thousand Pounds And the said Sums of Twenty one thousand Pounds hereby appointed to be paid on the Days and Times before mentioned Shall be Yearly Raised levied and Paid by the Freeholders Inhabitants and Residents in the several and Respective Cities and Counties within this Colony during the Nine Years Above mentioned According to the Quota's and proportions following that is to Say

In the City and County of New York yearly during the first above mentioned Two years the sum of Three thousand Pounds

In the City and County of Albany yearly during the said time the sum of One thousand and Five hundred Pounds

In Kings County yearly during the said time the sum of Three hundred and Eighty Eight Pounds.

In Queens County yearly during the said time the sum of Eight hundred & three Pounds.

In Suffolk County yearly during the said time the sum of six hundred and Ninety Pounds.

In Richmond County yearly during the said time the sum of Two hundred & forty four Pounds

In Westchester County yearly during the said time the sum of Eight hundred and three Pounds

In Ulster County yearly during the said time the sum of six hundred and Ninety Pounds

In Dutchess County yearly during the said time the sum of six hundred and Forty two Pounds

And in Orange County Yearly during the said time the sum of Two hundred and Forty Pounds

For and towards the said Sums of Eight Thousand Pounds shall be Paid annually for the next above mentioned Five Years

In the City & County of New York yearly the sum of Two thousand six hundred and sixty seven Pounds

In the City and County of Albany yearly during the said time the sum of One thousand three hundred and Thirty three Pounds.

In Kings County yearly during the said time the sum of Three hundred and Forty five Pounds

In Queens County yearly during the said time the sum of Seven hundred and fourteen Pounds

In Suffolk County yearly during the said time the sum of six hundred and Thirteen Pounds.

In Richmond County yearly during the said time the sum of Two hundred and Seventeen Pounds

In Westchester County yearly during the said time the sum of Seven hundred and Fourteen Pounds

In Ulster County yearly during the said time the sum of Six hundred and Thirteen Pounds

In Dutchess County yearly during the said time the sum of Five hundred and Seventy one Pounds

And in Orange County yearly during the said time the sum of Two hundred and Thirteen Pounds

And for and towards the said Sums of Twenty one thousand Pounds Shall be paid annually for the two last above mentioned years,

In the City and County of New York yearly the sum of Seven thousand Pounds.

In the City & County of Albany yearly during the said time the sum of Three Thousand and Five hundred Pounds.

In Kings County yearly during the said time the sum of Nine hundred and Five Pounds.

In Queens County yearly during the said time the sum of One thousand Eight hundred and seventy four Pounds

In Suffolk County yearly during the said time the sum of One thousand six hundred and Ten Pounds

In Richmond County yearly during the said time the sum of Five hundred and sixty Nine Pounds

In Westchester County yearly during the said time the sum of One thousand Eight hundred and seventy four Pounds.

In Ulster County yearly during the said time the sum of One thousand six hundred and Ten Pounds.

In Dutchess County yearly during the said time the sum of One thousand Four hundred and Ninety Eight Pounds.—And

In Orange County yearly during the said time the sum of Five hundred and sixty Pounds

AND to the end the full Sum intended by this Act may be Effective and Compleat BE IT ENACTED BY THE AUTHORITY AFORESAID That over and above the several Quota's above mentioned there shall be raised Assessed levied and Collected the Respective Sums following that is to Say On the Quota for the City and County of New York the sum of six Pence over and above Every Pound to be Retained in the hands of the several Collectors as a Reward for their Trouble in Collecting and Paying the same to the Treasurer of this Colony And on the Quota's for the City and County of Albany and all the other Counties in this COLONY the sum of One shilling over and above Every Pound Out of which the several Collectors may retain in their hands the sum of Nine Pence on Each Pound for Collecting and Paying the same to the several County Treasurers And the remaining three pence the County Treasurers Respectively may retain in their hands as a Reward for their Trouble and service in Receiving and Paying the Monies Arising by this Act to the Treasurer of this Colony.

AND to the End that assessments may be made in Such Convenient time by the assessors that the sums intended to be raised by this Act may be Collected and Paid at the Times herein after Mentioned and appointed and that assessments may be truly equally and Impartially made as of Right they Ought to be BE IT ENACTED by the authority aforesaid That the Mayor Recorder and Aldermen of the City and County of New York or the greater Part of them for the time being shall Meet and assemble at the City Hall of the said City on the first Tuesday in June in Every Year during the said Nine Years

and then and there Issue their Warrants to the several and Respective assessors of the said City and County to take a True and Exact account of all the Estates Real and Personal of all the Freeholders Inhabitants and Residents within the several Wards of the said City and County for which they at the time of Issuing Such Warrants shall be assessor or Assessors and true Equall and impartial assessments to Make and the same at a day in the said Warrants to be Prefixed by the Mayor or Recorder and Aldermen or the Major part of them then Met to Exhibit And when the said assessments are by the said Assessors Completed and a full account of the same fully Cast up according to the Pound Value of the said Estates So that the Quota with the allowance for the City and County of New York be apparent and made known Then the said Mayor Recorder and Aldermen or the Major part of them shall Issue their Warrants to the several and respective Collectors within the said City and County to Collect the Quota with the allowance by this act directed, and that the same be paid unto the Treasurer of this Colony on or before the first Tuesday in November Yearly and every Year during the said Term of Nine Years.

AND that assessments may be truly Equally and impartially Made and done BE IT ENACTED by the authority aforesaid That every assessor that shall be Chosen and Elected within the City and County of New York during the Term aforesaid Shall before he Enters upon the Performances of the Duty and service required of him by this act take an Oath upon the Holy Evangelists of Almighty God in the Words FOLLOWING to wit I A. B. do swear that I will well and truly equally and impartially and in due proportion according to the best of my Skill Knowledge and understanding Assess and rate all the Freeholders Inhabitants and Residents of the Ward for which I am Chosen Assessor. Which Oath the said Mayor Recorder and Aldermen or the Major part of them so met are hereby Impowered required and directed to administer.

AND for the Effectual assessing Collecting and Paying the Respective Quota's for the City and County of Albany and all the other Counties in this Colony together with the before mentioned allowance to the Collectors and County Treasurers BE IT ENACTED by the authority aforesaid that the Supervisors of the said City and County and all the other Respective Counties in this Colony or the Major part of them Respectively shall meet on the first Tuesday in June every year during the said

Term where the Majority of the Supervisors then Met shall cause the Respective Quota's and allowances aforesaid of each County to be raised assessed levied and Collected in the same manner as the other Necessary and Contingent Charges thereof are And the Respective Collectors are hereby required and Enjoined to pay the Respective Quota's to be by them Collected unto the respective County Treasurers on or before the first Tuesday in October Yearly and Every Year during the said Term and Each of the said County Treasurers are hereby Enjoined and Required to Pay the Respective Quota's of their Counties to the Treasurer of this Colony on or before the first Tuesday in November then next following during the said Term

AND be it further Enacted by the authority aforesaid That in Case any of the Collectors shall neglect or delay to make their Respective Payments to the Respective County Treasurers for the space of three Months next after the times appointed by this act the said County Treasurers shall be and hereby are Enabled directed and Required to Commence Actions in their own Names Respectively for the Said Sum or Sums or such part thereof as shall be then unpaid in the County Court where such Default shall happen and Prosecute the same to Effect And in Case any of the respective County Treasurers shall neglect their respective Duties herein all such sum or Sums of Money shall be deemed taken and Esteemed assets in their hands Respectively and they shall be charged therewith as having received the same by the Treasurer of this Colony who shall be and hereby is Enabled Directed and Required in his own name to Commence actions for the same in the Supreme Court of this Colony within one Month after such Default made by ANY of the County Treasurers Respectively and Prosecute the same to Effect And in case the Treasurer of this Colony shall neglect his Duty herein all such Sum or Sums of Money so being unpaid shall be deemed taken and Esteemed assets in his Hands and he shall be Chargeable therewith as if he had actually received the same And in Case any of the Collectors of the City and County of New York shall Neglect or delay making their Payments of the aforesaid Tax for one Month after the times directed by this act the said Treasurer shall be and hereby is Enabled directed and required in his own Name to Commence Actions against such Defaulter or Defaulters and Prosecute the same to Effect And in Default of such Prosecution the money so unpaid shall be deemed taken and Esteemed assets in



his Hands as if he had actually received the same Any Law Usage or Custom to the Contrary notwithstanding

AND BE IT ENACTED by the Authority aforesaid That such Mayor Recorder Aldermen supervisors Assessors Collectors or County Treasurers within this Colony as shall Deny Refuse Neglect or Delay to do perform and Execute all or any of the Powers Duties and Authorities by this Act required of him or them to be done and shall thereof be Lawfully Convicted in any of His Majesties Courts of Record he or they shall suffer such Pains by Fine or Imprisonment as by the discretion of such Court or Courts shall be adjudged.

AND BE IT ENACTED by the authority aforesaid That the Treasurer of this Colony Shall out of the monies to be raised by Virtue of this act Pay unto Oliver De Lancey Beverly Robinson and John Cruger Esquires Whom his Honor the Lieutenant Governor hath been pleased to appoint Paymasters and Commissaries to the Forces of this Colony the sum of Forty four thousand Pounds to be by them applied in the Payment of Two thousand six hundred and Eighty Effective men officers included who are to be employed with the aforesaid Forces of the Neighbouring Colonies and a Body of His Majesties Regular Troops to Invade the French Possessions in Canada after the following Rates, to wit—To one Colonel in Chief to superintend & Command all the Forces of this Colony Twenty Shillings per Diem To three Colonels Commandants sixteen Shillings per Diem Each To three Lieutenants Colonels Fourteen shillings per Diem Each To three Majors twelve Shillings per Diem Each To three adjutants being Lieutenants Ten shillings per Diem Each To Twenty seven Captains Ten shillings per Diem Each To Fifty one Lieutenants seven shillings per Diem Each To one hundred & Eight Sergeants one shilling and Eight pence per Diem EACH To Twenty seven Drummers one shilling and six pence per Diem Each To Eighty one Corporals one shilling and six pence per Diem Each And unto Two thousand Three Hundred and seventy four Private Men one shilling and three pence per Diem Each Deduction to be made for any deficiency in that number by death or otherwise Which Forces they are hereby directed to Pay according to the Number that shall be in actual service and not otherwise Which Shall be Ascertained by the Muster Rolls of the Respective Companies Monthly delivered to the said Paymasters upon the Oath of the several Captains of Each Company or the Oath of the Commanding

Officer thereof at the time of such Muster Which Oath the said Paymaster or Either of them or such other Person as the Governor or Commander in Chief shall appoint are hereby Impowered and Required to administer in the Words following Vizt. "I A. B. Do swear that the Muster Roll here produced by me "is just and true and Contains no more nor other Persons Names "than such who are Really and truly enlisted in my Company "and are now actually and Really in the service on the Present "Expedition against the French Settlements in Canada. So help "me God.—And the said Paymasters are hereby further required and directed to Pay to Three Doctors providing each two able assistants to attend the said Forces the sum of Twenty four shillings per Diem Each and also to Provide them with proper Chests of Medicines to the Value of one hundred & twenty five Pounds Each.

AND BE IT FURTHER ENACTED by the authority aforesaid That the Treasurer shall out of the Monies aforesaid Pay unto Each of the said Captains or other officers properly Authorized to raise the forces the sum of Twenty Shillings for Each able bodied man whom he or they respectively shall Engage to enlist Voluntarily in the said Service and to Each of the said Captains as and for an Encouragement to the men who shall enlist under him or them Respectively the sum of Ten Pounds to be paid by him or them Respectively to Each and every able bodied man who shall Voluntarily enlist under him or them on the aforesaid service Which said respective sums shall be paid by the Treasurer on Warrants Issued by the Governor or Commander in Chief for the time being in Council.

AND BE IT FURTHER ENACTED by the authority aforesaid that the Treasurer of this Colony shall out of the Monies to be raised by Virtue of this Act Pay unto the said Commissaries the sum of Fifteen Thousand Pounds TO be by them employed in Purchasing Cloathing, Blankets and other Necessaries for the use of the Forces to be raised by this Colony on the aforesaid Expedition of the due disposition of all which aforesaid Sums of Money they the said Paymasters shall render just and true accounts on Oath to the Governor or Commander in Chief for the time being the Council or General Assembly when by them or any of them thereunto required

AND to the End the aforesaid Commissaries may be Encouraged to do and Perform the several and Respective services Required to be Done and performed by them Respectively BE IT

ENACTED by the authority aforesaid That the said Commissaries shall be allowed to Retain in their Hands the sum of Two Pounds on Every Hundred Pounds they shall Employ by Virtue of this Act and in that Proportion for a greater or lesser Sum as a Reward for their Care and trouble in the several and Respective services hereby required to be done and performed by them. AND BE IT ENACTED by the authority aforesaid That the said Commissaries before they receive any Part of the monies hereby directed to be paid unto them shall Enter into Recognizances to our Sovereign Lord the King his Heirs and Successors before one of the Judges of the supreme Court of this Colony in the Sum of Fifty nine thousand Pounds with two sufficient Sureties each in half that sum. CONDITIONED that they will well and truly Employ and apply the Monies to be received by them as aforesaid to and for the several and Respective uses and Purposes directed by this Act And well and truly to observe do and Perform all the Directions hereby Required to be observed done and Performed by them According to the True Intent and meaning of this Act. Which Recognizances are to be filed and Recorded in the Supreme Court.

AND BE IT ENACTED by the Authority Aforesaid That if either of the before-named Commissaries shall fail of employing and applying the Money so to be received by them in manner and for the Respective Uses directed by this Act or omit to observe do and Perform what is hereby required to be observed done and performed by them In Such Case or Cases the said Recognizances shall be proceeded upon in due form of Law against such offender or offenders or his or their sureties in the Supreme Court of this Colony Wherein no Essoin Protection Wager of law or more than one Imparance Shall be allowed And the Money to be recovered in Consequence thereof shall be paid into THE Treasury of this Colony and be applied to and for such uses as shall hereafter be directed by Act or Acts to be passed for that purpose

AND BE IT ENACTED by the authority aforesaid That if either of the said Commissaries shall happen to Die remove out of this Colony or refuse to act according to the several and Respective Powers and Authorities hereby directed and Required it shall and may be Lawfull to and for the Governor or Commander in Chief for the time being by and with the advice and Consent of his Majesties Council to nominate and appoint Some other fit Person or Persons in the place and stead of him

or them so Dying removing or Refusing to act as aforesaid any thing herein Contained to the Contrary Notwithstanding. PROVIDED that the Persons or Persons who shall be Appointed shall be obliged to enter into the like Recognizances with the like Sureties as herein is directed to be done by the Said Commissaries before he or they be Intitled to Receive any part of the money herein mentioned And in all Respects be as subject to observe do and Perform the several Directions of this act as if he or they had been named or appointed in it.

AND BE IT FURTHER ENACTED by the authority aforesaid That the Treasurer Shall Pay unto James Parker for Printing the Bills of Credit directed to be made Current by this act the sum of Twenty five Pounds

AND BE IT FURTHER ENACTED by the authority aforesaid That the aforesaid Several Sums of money directed to be paid to the beforementioned Commissaries shall be Paid by the Treasurer of this Colony at such time and in Such Proportions as shall be thought necessary and Expedient by his Honor the Lieutenant Governor or Commander in Chief for the time being by and with the advice and Consent of his Majesties Council of this Colony for performing the several and Respective Services directed by this Act.

AND BE IT FURTHER ENACTED by the authority aforesaid That the Treasurer Shall out of the aforesaid Fund Pay the following several sums of Money Viz; To the Colonel in Chief of the Forces of this Colony the sum of one hundred Pounds to furnish his Tables To Each of the three Colonels Commandants of the Three Battalions of this Colony the sum of Seventy Pounds to furnish their respective Tables To Each of the three Lieutenant Colonels the sum of Fifty Pounds for the like purpose And to each of the three Majors the sum of Forty Pounds for the like Purpose.

AND WHEREAS there are two Certain sums of money due to this Colony the one for Provisions delivered over by the Commissaries of the Forces of this Colony by the orders of the Right Honourable the Earl of Loudoun to the Contractors for furnishing His Majesties Troops with Provisions And the other for Goods bought by Sir Charles Hardy Knight late Governor of this Colony with money Granted him by this Colony for making Presents to the Indian Nations and since delivered over to Sir William Johnson his Majesties Agent for Indian affairs in the Northern Department of America by Sir Charles Hardy's

order The said agent Engaging to Refund the Value thereof to this Colony His Majesty having made ample Provision for that Service.

BE IT ENACTED by the authority Aforesaid that the before mentioned Commissaries shall be and hereby are impowred and directed to Receive the said Sums of money Whatever they amount to and give the Colony Credit for the same in their accounts.

AND as it is impracticable to have the aforesaid Sums of money Collected so soon as the Present Exigencies require.

BE IT ENACTED by the authority aforesaid that for making immediate Payment for the services aforesaid Bills of Credit to the Value of One hundred Thousand Pounds be forthwith Printed made and Issued upon the Credit of the money to be Raised and levied by Virtue of this act and lodged in the Treasury for that Purpose that is to Say Eight Thousand Bills of Ten Pounds Each and four thousand Bills of Five Pounds Each and upon every and Each of which Bills Shall be impressed on the Right Side thereof the Arms of the City of New York and under the Arms in the different Characters these Words IT'S DEATH TO COUNTERFEIT THIS BILL. Which Bills shall be in the form following, that is to Say,

By a law of the colony of New York this bill shall pass current for                      pounds New York the fifteenth day of April one thousand seven hundred and fifty eight. Which Said Bills shall be Signed by Peter Van Brugh LIVINGSTON David Clarkson David Van Horne and Henry Cuyler junior Esquires or any three of them and numbered by one of them And in Case of the Death of any of the said Persons the said Bills shall be signed by the Majority of the Survivors of them

AND BE IT ENACTED by the authority aforesaid That Abraham De Peyster Esquire the Present Treasurer of this Colony in whose hands the Stamps of the Arms of the City of New York and the other Plates are deposited Shall in the Presence of the Signers Aforesaid or the Major part of them deliver unto James Parker the said Stamps and Plates who is hereby appointed to Print the said Bills and on them to impress the said Arms and Plates Which when done the said James Parker shall Redeliver to the Said Treasurer the said Stamps and Plates in Presence of the signers aforesaid or the major part of them And the Receipt of the said Treasurer shall be to the said Printer a Sufficient discharge for the same And the Said Printer



Is hereby Required and directed to deliver to the signers hereby appointed to Sign the said Bills every Bill of Credit by him Printed and shall upon his delivery of the said Bills take an oath in the Words following Vizt.

I, A. B. Do declare that from the time the Letters were set and fit to be put into the Press for Printing the Bills of Credit now by me delivered to you untill the Bills were Printed and the Letters Afterwards distributed into the Boxes I went at no time out of the Room in which the said Letters were without Locking them up so that they could not be come at without Violence, a false Key, or other Art then unknown to me and therefore to the best of my Knowledge no Copies were Printed of but in my presence And that all the Blotters and other Papers whatsoever impressed by the said Letters whilst set for Printing the said Bills to the best of my knowledge are here delivered unto you together with the stamps And in all things Relating to this Affair I have well and truly demeaned myself according to the true intent and meaning of the Law in that Case made to the best of my Knowledge and understanding.

Which Oath all or every of the signers are hereby empower'd directed and Required to administer.

AND BE IT ENACTED by the authority aforesaid That the Persons herein appointed to Sign the said Bills of Credit shall take an Oath before a Magistrate of the City of New York each of them "Well and truly to perform what by this Act they are enjoined as their duty and will knowingly Sign no more Bills of Credit than as by this act is directed." And if it Shall happen that any Supernumerary Bills shall be left after THE said Number shall be delivered to the said Treasurer in Manner aforesaid all Such Supernumerary Bills Shall be burnt and destroyed by the said Signers or the major part of them or by the majority of the Survivors of them in the Presence of the Treasurer of this Colony

AND BE IT ENACTED by the Authority aforesaid that the Bills of Credit Enacted and appointed by this act to be Current shall be received by the Treasurer of this Colony in all Publick Payments and for any Fund at any time in the Treasury and by any Person within this Colony in all Cases whatsoever during the time they are Enacted to Continue and be as Effectually Current as any other Bills of Credit made Current in this Colony by any Act of the Governor Council and General Assembly.

AND BE IT ENACTED by the authority aforesaid That if any Person or Persons whatsoever Shall Counterfeit any of the Bills of Credit made Current by this act or shall alter any of the Bills made Current as aforesaid so that they shall appear to be of greater Value than by this act the same Bill or Bills so altered were Enacted signed or numbered to pass Current for or shall Knowingly Pass or give in Payment any of the Bills aforesaid So Counterfeited or altered Every Person guilty of Counterfeiting or altering any of the Said Bills as aforesaid or of Knowingly Passing or giving in Payment any such Counterfeit or altered Bill shall be guilty of Felony and being thereof Convicted Shall suffer the Pains of Death witho<sup>ut</sup> benefit of Clergy And tho' such Counterfeiting altering or knowingly Passing Counterfeit or altered Bills shall be done out of this Colony Yet any Grand Jury within the City and County of New York is hereby impowered to present the same and to set forth in the Indictment the place where by their Evidence it appeared that the Fact was Committed which Indictment is hereby declared good notwithstanding that the place alledged be out of this Colony And the Petty Juries on the Tryal of all such Issues shall be returned from the Body of the City and County of New York any Law Usage or Custom to the Contrary notwithstanding

AND BE IT ENACTED by the authority aforesaid that the Bills of Credit made Struck and Issued by Virtue of this Act shall be and Remain Current untill the first Tuesday in November which will be in the Year of Our Lord One thousand Seven Hundred and Sixty Eight

AND BE IT FURTHER ENACTED by the authority aforesaid that none of the Bills of Credit made Current by this Act when they become by any Means Shattered Torn or defaced Shall have any Pieces of Paper Parchment or Cloth Pinned Sewed or Pasted on them and in Case any of them be found with Paper Parchment or Cloth Pinned Sewed or Pasted thereon the Currency thereof shall immediately Cease and they shall not be thereafter accepted by any Person but the Treasurer who shall receive the same either in Payment or Exchange for other Bills Anything in this Act to the Contrary Notwithstanding

AND BE IT ENACTED by the authority aforesaid That as the Money to be raised levied and Collected by Virtue of this act shall be Paid into the Treasury the Treasurer of this Colony for the time being shall be and he is hereby directed and required to use his utmost Endeavours to Exchange the same for

Bills of Credit made Current by this Act Which Said Bills so procured shall be kept in the Treasury ready to be Cancelled in manner as is directed in and by an act Intitl'd "An act for the more effectual Cancelling the Bills of Credit of this Colony" Passed in the Twenty first year of his Majesties Reign.

AND BE IT FURTHER ENACTED by the authority aforesaid That when the Treasurer Shall have Paid all the several sums directed to be paid by this Act all the Residue of the money to be raised by this act Shall remain in the Treasury to be disposed of by Act or Acts hereafter to be Passed for that purpose

AND BE IT FURTHER ENACTED by the authority Aforesaid That the Treasurer shall keep Exact Books of all his Receipts and Payments by Virtue of this Act and a true and just account thereof shall Render on oath to the Governor or Commander in Chief for the time being the Council or General Assembly when by them or any of them thereunto required.

AND to the End there may be no deficiency in the Forces to be furnished by this Colony on the aforesaid Service BE IT ENACTED by the Authority Aforesaid that in Case a sufficient Number of Volunteers do not offer by the Fifteenth Day of April next to Compleat the full number of Two thousand six hundred and Eighty effective men including officers it Shall and may be lawfull for his Honour THE Lieutenant Governor or Commander in Chief for the time being and he is hereby Enabled and empowered to Supply the deficiency by Detachments to be made from the Militia of the several and Respective Cities and County's of this Colony where such deficiency may happen ALWAYS PROVIDED that no more men shall be detached from the Said Several Cities and Counties than according to the following Proportions to Wit

From the City & County of New York Three hundred and Twelve effective men

From the City and County of Albany Five hundred and Fourteen Effective men

From Kings County sixty three Effective men

From Queens County Two Hundred and Ninety Effective men

From Suffolk County Two hundred and Eighty nine Effective men

From Richmond County Fifty five Effective men

From Westchester County Three hundred and Ninety Four Effective men

From Dutchess County Three hundred and Eighty nine Effective men

From Ulster County Two hundred and Twenty Eight Effective men

And from Orange County One hundred and Forty Six Effective men

AND BE IT FURTHER ENACTED by the authority aforesaid that no Person or Persons Whatsoever is or are by this Act Exempted from being detached for the service required by this Act except the several Branches of the Legislature and their Necessary officers His Majesties Attorney General and the Colony Treasurer High Sheriffs and Clerks of Cities and Counties, magistrates Ministers of the Gospel Persons under Sixteen or above Sixty Years of Age and Persons who have Actually served in their own Proper Persons in one or both the last Campaigns

AND BE IT FURTHER ENACTED by the authority aforesaid that the several and Respective Colonels or next Commanding officers of the several and Respective Regiments of Militia within this Colony shall forthwith after Receiving the orders of His Honour the Lieutenant Governor or the Commander in Chief for the time being for detaching the number of men Wanting According to the aforesaid Proportions send for all the Captains or next Commanding officers of all the several Companies as well Regimented as unregimented Troops of Horse included of the said Several and Respective Cities and Counties to attend them at such time and place as the said Colonels or next Commanding officers shall appoint with the several and Respective Lists on oath of their Companies and of every other Person in their District or Beat not Exempted by this act From which Lists the several and Respective Colonels or next Commanding officers together with the other Field officers shall proportion the number of men to be furnished by each Company Respectively According to the Numbers Contained in the said Lists And the said Several and Respective Captains or next Commanding officers for the Respective Counties and the several and Respective Captains or next Commanding officers with the assistance of a Field officer for the City of New York Shall within Six Days thereafter take the proper measures for Detaching the number allotted to Each Company Respectively by such time as shall be Appointed by his Honour the Lieutenant Governor or Commander in Chief for the time being for that

purpose Each able bodied man who shall before the said Detachments be made enter Voluntarily into the said Service out of any of the Said Companies to be allowed part of the Quota of such Company And if any Dispute shall Arise among any of the said Companies concerning the number of Volunteers entered into the said Service out of the said Companies the same shall be Examined into and finally Settled by the Respective Colonels or other Field Officers of the City or County where the dispute may arise.

AND BE IT FURTHER ENACTED by the authority aforesaid that when any of the Said Captains or next Commanding officers shall order their Companies to meet in order to Raise the Quota of men allotted to them Respectively every Person duly Warned to appear either Personally or by Notice left at his Place of Residence not only those belonging to the Said respective Companies but such others as Reside within the said Beat or District not Exempted by this act who shall not attend at such time and Place as shall be appointed by the said Captain or next Commanding officer Respectively shall forfeit and Pay the sum of Twenty Pounds.

AND BE IT FURTHER ENACTED by the authority aforesaid that all Free negroes and Mustee and Mulatto freemen within this Colony shall be and hereby are made liable to be detached on the aforesaid Service by the Captain or Captains or next Commanding officer or officers within whose respective Beats or Districts they do or may Reside Notwithstanding any Indenture or Indentures of servitude they or any of them may be under

AND Whereas there are many Persons in several parts of this Colony deserted from the service in the two last Campaigns BE IT FURTHER ENACTED by the authority aforesaid that it Shall and may be lawfull for the several militia Captains or next Commanding officers out of or by whose Company they were enlisted or detached to take and seize all such Deserter or Deserters wherever they can be found within this Colony and Send them on the aforesaid SERVICE as part of the Quota to be furnished by their Respective Companies.

AND BE IT FURTHER ENACTED by the authority aforesaid that if any Person or Persons being Residents in any County of this Colony shall after the Publication of this act be enlisted in or for any other County than that whereof they are Residents Such Person or Persons so enlisted shall be allowed part



of the Quota of that County whereof they are Residents and if any Disputes shall arise between two County's on that Head Such Dispute Shall be examined into and finally settled by such Person or Persons as His Honour the Lieutenant Governor or Commander in Chief for the time being Shall appoint.

AND BE IT FURTHER ENACTED by the authority aforesaid That if any Person or Persons so detached Shall Refuse the said Service he or they so Refusing shall be deemed Deserters and Shall be proceeded against and Punished accordingly ALWAYS PROVIDED that it Shall and may be lawfull for the Person so detached as aforesaid to Procure an able bodied man to go in his Room and Stead and on his Producing such to the officer or officers appointed to Command the Company in which the said Detached Person was to go or to the Person or Persons appointed to muster the said men he the said Detached Person shall be discharged from that service.

AND BE IT FURTHER ENACTED by the authority aforesaid that if any Person or Persons within this Colony Shall after the orders for making the said Detachments shall be Issued and before the said Detachments be Completed be found in any part of this Colony to which they do not belong and shall not be able to give a satisfactory account of him or themselves and the Business he or they are upon to the Captain of the District or Beat within whose limits he or they shall be found it Shall and may be Lawfull for such Captain or next Commanding officer to Detach Such Person or Persons on the aforesaid Service as part of the Number which he is to furnish out of his Company

AND BE IT FURTHER ENACTED by the authority aforesaid That in Case any Person or Persons whatsoever Shall Harbour secret or Conceal any Person detached or enlisted as aforesaid and absenting himself from the said Service he she or they so offending Shall forfeit the sum of Twenty Pounds.

AND BE IT FURTHER ENACTED by the authority aforesaid That if any Person or Persons whatsoever shall directly or indirectly obstruct the said Detachments being MADE or Shall discourage or hinder any Person from enlisting Voluntarily into the said Service or shall under any Pretence whatsoever otherwise than by due Process of Law detain any such Person who shall hereafter enlist Voluntarily or be detached into the said Service though the said Person be servant or Apprentice he she or they so offending shall respectively forfeit the sum of Fifty Pounds.

AND BE IT FURTHER ENACTED by the authority aforesaid That if any Captain or next Commanding officer of a Company of Militia or any Person Properly authorized to Inlist Volunteers on the aforesaid Service or Receive the Persons detached shall be Prosecuted by any Master or Mistress of a servant or apprentice for detaching or Inlisting his her or their servant or Apprentice into the aforesaid Service or for Retaining them in the Said Service It shall and may be lawfull for such officer so Detaching or such Person so Inlisting or retaining such Servant or Apprentice to plead the General Issue and give this act in Evidence and the Plaintiff or Plaintiffs in such Suit or Suits shall not Recover in any Such Suits but Pay all Costs.

AND BE IT FURTHER ENACTED by the authority aforesaid That if any Colonel or Field officer shall neglect or omit to do what is Enjoyed him or them by this act they shall respectively forfeit the sum of Two hundred Pounds And any Captain or Subaltern officer or officers who shall neglect to do what is enjoyed him or them by this act he or they shall respectively forfeit the sum of one hundred Pounds and every non commissioned officer who shall omit or Neglect the service required of him by his Captain or next Commanding officer in Executing this act shall Respectively forfeit the sum of Fifty Pounds All which Forfeitures and all other Forfeitures laid by this act shall be immediately levied on the goods and Chattles of the Defaulters respectively or the goods and Chattles of their Parents Masters or Mistresses by Warrant or Warrants Issued by one of the Judges of the Inferior Court of Common Pleas of the respective County or County's where the said forfeiture shall arise or by one of the Judges of the supreme Court in the City of New York on due Proof thereof made before him Which Warrants shall be directed to and Executed by the sheriff or sheriffs of the several Cities and Counties Respectively The said forfeitures when levied shall be paid into the hands of the Supervisors of the said respective Counties or the City Treasurer of the City of New York and be by them applied in the Repayment of such Sum or sums of money as the People of the said City or Counties Respectively shall Raise by Voluntary Contributions among themselves for Encouraging able bodied Men to inlist Voluntarily into the aforesaid SERVICE in Such manner as they the said Supervisors or Mayor and Aldermen of the City of New York respectively Shall judge Equitable And where

so goods or Chattles are to be found the Defaulter or Defaulters shall be committed to Goal there to Remain without Bail or main Prize for the space of six Months or untill the said Forfeitures with all Costs and Charges attending the same shall be fully Paid.

AND that none of his Majesties Subjects who are inclined to go upon the service Aforesaid may be impeded or debarred from Entering Voluntarily therein or being Detached prevented from going thereon BE IT ENACTED by the authority aforesaid That no Person who shall enlist or enter himself a Volunteer in the said Service or being Detached thereon Shall during the same be liable to be taken therefrom by any Process or Execution whatsoever other than for some Criminal matter unless for a Debt or other just Cause of Action and Unless before the taking out of such Process or Execution (not being for a Criminal matter) the Plaintiff or Plaintiffs therein or some other Person or Persons on his or their behalf shall make affidavit before one or more Judge or Judges of the Court of Record or other Court out of which Such Process or Execution shall Issue or before some Person authorized to take affidavits in Such Courts that to his or their Knowledge the original sum justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants in the action or Cause of action on which such process shall Issue or the original Debt for which such Execution Shall be issued out amounts to the Value of Fifty Pounds Current money of the Colony of New York over and above all Costs of suit in the same action or in any other action on which the same has been or shall be grounded A memorandum of Which oath shall be marked on the back of such Process or Writ for which Memorandum or oath no fee shall be taken And if any Person shall nevertheless be arrested Contrary to the Intent of this Act it Shall and may be lawfull for one or more Judge or Judges of such Court upon Complaint made thereof by the Party himself or by any of his Superior Officers to examine into the same by the Oath of the Parties or otherwise and by Warrant under his or their Hands and Seals to discharge such Soldier so arrested or detained contrary to the Intent of this Act without Paying any Fee or Fees upon due proof made before him or them that such Soldier so arrested or detained was duely enlisted for the service or detached thereon as aforesaid and was arrested and detained contrary to the Intent of this Act

AND BE IT ENACTED by the Authority Aforesaid That any Person or Persons WHO are willing to enlist and shall accordingly enlist for the service Aforesaid or being detached therein who are now detained in Goal upon Execution or any Process in any Civil Action Wherein the Original Cause of Action did not amount to the sum of Fifty Pounds Shall upon a Certificate of such his or their Enlistment or Detachment being Produced to any Judge or Judges of the Court from whence Such Process Issued be discharged from Imprisonment without Paying Fees PROVIDED NEVERTHELESS that such discharge shall not be deemed an Extinguishment of any Such Debt but that any Plaintiff or Plaintiffs may be at liberty to proceed to Judgment and Execution against the Goods of any such Defendant and also against their Person or Persons After he or they shall be discharged from the said service

AND BE IT ENACTED by the authority Aforesaid That no Person or Persons Whatsoever engaged in the Service aforesaid shall be detained therein longer than to the first Day of December next.

AND to the End That no Persons may be sent on the aforesaid Service but such as are Able bodied and fit for the duty Expected from them BE IT ENACTED by the Authority Aforesaid That as well those that enter Voluntarily as those that may be detached shall be Mustered Viewed and Examined by such Person or Persons and at Such time and place as his Honour the Lieutenant Governor or Commander in Chief for the time being Shall Appoint And in Case any of them be found on such Examination unfit for such service the Company or Companies producing such unfit Person or Persons Shall be obliged to Supply their places with other fit and able bodied men.

AND BE IT FURTHER ENACTED by the authority aforesaid That in Case any Person or Persons Whatsoever engaged in the aforesaid service either as officers or Soldiers shall at any time during the said Service desert therefrom or shall begin excite Cause or join in any mutiny or Sedition in the Company to Which he doth belong or in any other Company engaged in the said Service or shall hold Correspondence with any Rebel or Enemy of His Majesty or give them advice or Intelligence by Letters Messages signs or Tokens or any manner of way whatsoever or shall strike or use any Violence Against his Superior officer being in the Execution of his office or shall Refuse to obey any lawfull Command of his Superior Officer they

shall Respectively Suffer Death or such OTHER Punishment as shall be indicted by a Court Martial Which Court Martial Shall be held Constituted and Appointed by Commission from his Honour the Lieutenant Governor or Commander in Chief for the time being under the Great Seal of this Colony

AND WHEREAS it is apprehended that several able bodied men have absconded and others may before the said Forces be Completed abscond and secrete themselves to prevent their being detached on the aforesaid Service BE IT ENACTED by the authority aforesaid that the several and respective Militia Captains or next Commanding officers shall be and hereby are fully empowered Authorized required and directed with Such force as they shall think Necessary to make diligent and Strict Search for all such absconded Persons belonging to their respective Companies or whose usual Residence is within their respective districts or Beats and take Seize and Secure all such of the said Absconded Persons as they can meet with wherever they can be found in the several and respective Counties they belong to and send them on the aforesaid Service as part of the Quota to be furnished by their Respective Companies and in Case any of the said Absconded Persons shall not be found before the March of the Forces to the General Rendevouze it shall and may be Lawfull for the said several and Respective Captains or next Commanding Officers respectively with Such Force as they shall find necessary to take Seize and secure all such absconded Persons as shall or may afterwards be found and send them on the aforesaid Service as Recruits for the Forces furnished by this Colony on the aforesaid Important Service

AND BE IT FURTHER ENACTED by the authority aforesaid That in Case any Surgeon or Physician or any proper number of assistants for them being appointed by his Honour the Lieutenant Governor or Commander in Chief for the time being to attend the aforesaid Forces shall Refuse Neglect or Delay to go upon the said Service Each Person so refusing neglecting or delaying shall forfeit and Pay the sum of One Hundred Pounds for such Refusal Neglect or delay The said Forfeitures to be sued for and Recovered by the Treasurer of this Colony and When Recovered lodged in the Treasury untill the same shall be disposed of by some future act of this Colony.



## [CHAPTER 1060.]

[Chapter 1060, of Van Schaack, and chapter 133 (vol. 2) of Livingston and Smith, where the title only is printed.]

An Act to Raise Levy and Collect a Sum not exceeding the sum of Five hundred pounds in Kings County towards Building a New Court house and Goal in Said County.

[Passed, March 24, 1753.]

WHEREAS the Goal of the said County was lately burnt down and the Courthouse thereof is so much out of Repair that it is absolutely Necessary to have a New Courthouse and Goal Erected.

BE IT THEREFORE ENACTED by His Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same, that it Shall and may be Lawfull to and for the Justices of the Peace of the Said County or the Major part of them for the time being, and they are hereby Enabled impowered and required immediately After the publication of this Act, to Raise Levy and Collect, off, from, and upon all and every the Freeholders Inhabitants and Residents within the said County a Sum not Exceeding the sum of Five hundred Pounds towards defraying the Expence of Building a New Goal and Court House in the Said County Which Said Sum or so much thereof as Shall be found Necessary for Carrying on and finishing the said Courthouse and Goal shall be raised Assessed Levied and Collected in the same manner as the other annual Necessary and Contingent Charges of the said County are.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the money so to be raised Levied and Collected by Virtue of this Act shall by the severall and Respective Collectors be paid unto Such Person or Persons, Residing in the Township of Flatbush, at Such time and Times as the said Justices or the Major part of them shall direct and appoint to be by him or them Employed laid out and Paid for Such Materials and Workmanship as Shall be Necessary for the taking down the old and the Building a new Court House and Goal in the said County Of the due Disposition of which Said Sum of Five hundred Pounds or so much thereof as Shall really and Truly come into the

Hands of such Person or Persons, So to be appointed by Such Justices they the said Person or Persons Shall Render an account upon Oath when thereunto required by the Said Justices or the major Part of them.

[CHAPTER 1061.]

[Chapter 1061 of Van Schaack, and chapter 139 (vol. 2) of Livingston and Smith, where the act is printed in full. Expired January 1, 1762. Revived and continued by chapter 1213.]

An Act to prevent the bringing in and  
Spreading of Infectious Distempers in this  
Colony

[Passed, March 24, 1758.]

IN ORDER as much as may be to Prevent the Small Pox Yellow Fever or any other Contagious Distemper being brought into this Colony

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same that all Trading Vessels Transports and others having the small Pox Yellow fever or other Contagious Distemper on Board and All Persons Goods and Merchandizes Whatsoever Coming or Imported in Such Vessels and all Vessels coming from any Place Infected with Such Distempers Shall not come into any the Ports or Harbours of this City or nearer to it than the Island Commonly called Redlow's Island and shall be obliged to Make their Quarentine there or in such other place or Places for Such time and in Such Manner as the Governour or Commander in Chief by and with the Advice and Consent of his Majesties Council Shall think Proper and Reasonable to direct and Appoint And until Such Vessell Person Goods and Merchandize Shall have Respectively performed and be discharged from Such Quarentine no Such Persons Goods or Merchandize or any of them shall come or be brought on shore Unloaded or go or be put on Board of any other Vessell within this Colony or the Neighbouring Colony of New Jersey Unless they Shall be first Permitted and Licensed by order from the Governor or Commander in Chief for the time being by and with the Consent of the Council And all Masters or Commanders of such Vessels and all others who shall presume to put on shore Unload or put on Board any other Vessell as Afore said any Person or Persons Goods or Merchandizes Contrary to the True

Intent and Meaning of this Act having first Notice thereof shall forfeit the sum of Two hundred Pounds Current Money of this Colony.

BE IT ALSO ENACTED by the authority aforesaid that the Several Branch Pilots belonging to this Colony or any other Person or Persons who shall be thereunto Appointed And Sent by the Government Shall use their Utmost Endeavours to Haul every Vessel coming into this Colony from Sea And shall ask and demand of the Master or Commander of every Such Vessel whether they have come from any Place infected with the small Pox yellow Fever or other infectious Distemper or have any Person on board infected with any such Distemper And if he shall be informed the said Vessell hath come from any Place infected with the small Pox Yellow Fever or any other Contagious Distemper or hath any Person or Persons Sick on Board with any such Distemper they shall immediately Give Notice to the Commander of the Said Vessell of the Penalty aforesaid and forbid his going any farther With his Vessell than Bedlows Island aforesaid and that he Anchor there untill he shall have further Directions from the Governor and Council of this Colony what to do and how to Conduct himself and also to forbid his putting on shore Unloading or Putting on Board any other Vessell any Person or Goods out of his Said Vessell under the Penalty aforesaid And any Branch Pilots or any other Person thereunto appointed Neglecting his or their Duty therein Shall Respectively forfeit the sum of Fifty Pounds And if any Person or Persons Shall come on Shore from such Vessell it Shall and may be Lawfull by force and Violence to Compel such Person or Persons to Return on Board the Said Vessell or to DISPOSE of them in some other Place in order to prevent the Infection and if any Person or Persons who may happen to be Infected with any of the before mentioned Distempers tho' they belong not to any Vessell nor appear to have been on Board of any such Vessel, Such Person or Persons are and Shall be deemed within the Meaning of this Act

AND BE IT ENACTED that in Case any Vessell shall come from any Place Visited with Such Contagious Distempers or have any Person or Persons on Board Actually Infected with the small Pox Yellow Fever or other Contagious Distemper And the Commander of such Vessell upon Demand Made as aforesaid shall not make a true discovery thereof Such Commander Shall forfeit the sum of Two hundred pounds And the

Governor or Commander in Chief of this Colony is hereby Authorized and impowered to Appoint Some Surgeon or Physician to Inspect all Vessels and Persons Suspected of having on Board or being Visited with any such Infectious Distempers Who is hereby Required immediately to go on Board such Vessel and Make Strict Enquiry in to the Premises and Report the same Accordingly For which Enquiry and Examination such Surgeon and Physician shall be paid by the Master or Owner of the said Vessel the sum of Twenty Eight shillings for Each Such Examination.

AND BE IT FURTHER ENACTED by the Authority Aforesaid that the aforesaid Fines and Forfeitures Shall be One third for any Person or Persons who will Sue for and Prosecute the same to Effect And the other two thirds to His Majesty his Heirs and Successors towards the support of his Government in this Colony and be paid into the Treasury for that purpose accordingly This act to Continue and Remain of Force to the first Day of January One thousand Seven hundred and Sixty two.

#### [CHAPTER 1062.]

[Chapter 1062, of Van Schaack, and chapter 140 (vol. 2) of Livingston and Smith, where the title only is printed. Revived by chapter 1078.]

An Act for raising by a Publick Lottery the sum of One thousand one hundred and Twenty five Pounds for the use of the Corporation of the City of Albany.

[Passed, March 24 1753.]

INASMUCH as the Corporation of the City of Albany is greatly in Debt Occasioned by the last War, and by reason of the Present unable to discharge the same

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That a Lottery be Erected within this Colony and that for and towards raising the sum of One thousand one hundred and Twenty five Pounds it Shall and may be Lawfull for any Person or Persons Native or Foreigners Bodies Politick or Corporate to Contribute by Paying at or before the Respective times by this act limited in that behalf to any Person or Persons herein after to be appointed for that purpose the sum of One Pound Ten shillings or diverse intire Sums of One Pound Ten shillings upon this Act

and that every Contributor or Adventurer for every Such Sum of One Pound Ten Shillings Which he she or they shall so advance shall be interested in Such Lot or share in the said Lottery Established by this Act as is herein after directed and appointed And the same Entire sums of One Pound Ten shillings Each are hereby Appointed to be Paid unto Such Person or Persons aforesaid on or before the first Tuesday in August next

AND be it further Enacted by the authority aforesaid that Messieurs Harmen Gansevoort and Gysbert Fonda of the City of Albany Shall be Managers for Preparing and delivering out Tickets, receiving the money for the Tickets, and to oversee the Drawing of Lots; and to order, do and perform Such other matters and things as are hereafter in and by this act appointed and directed by Such Managers to be done and Performed; and that such Managers Shall Meet together from time to time, at Some Publick place, as to them shall seem most Convenient, for the Execution of the Powers and Trust in them reposed by this Act; And that the said managers shall cause Books to be prepared, in which every leaf shall be Divided or Distinguished into three Columns, and upon the innermost of the said three Columns there shall be Printed Five thousand Tickets Number One Two Three and so onwards in Arithmetical Progression, where the common Excess is to be one untill they Rise to the number of Five thousand; and upon the middle Column in every the said Books there shall be Printed Five thousand Tickets of the Same Breadth and form, and numbered in like manner; and in the Extreme Column of the said Books there shall be Printed a third Rank or Series of Tickets of the Same number with those of the other Columns, Which Said Tickets Shall Severally be of an oblong figure, and in the said Books Shall be joined with oblique Lines Flourishes or Devices, in Such manner as the said Managers Shall think most Safe and Convenient; And that every Ticket in the Extreme or third Column of the said Books, shall have Printed thereon, besides the Number, the Words following VIDELICET "The possessor of This Ticket if drawn a Prize Shall be intitled to the Prize So drawn Subject to Such Deductions as is directed by an Act of this Colony in that behalf."

AND BE IT FURTHER ENACTED by the Authority Aforesaid that the Said Managers Shall carefully Examine all the Said Books, with the Tickets therein, and that the same be contrived, numbered and made according to the True intent and meaning



of this Act; And all and Every such manager or Managers respectively, is and are hereby directed and Required, upon his or their receiving of every or any entire Sum of One Pound Ten Shillings, in full Payment for a Ticket, from any Person or Persons contributing or adventuring as aforesaid, to cut out of the said book or Books through the said Oblique Lines, Flourishes, or Devices, indentwise, a Ticket of the Tickets in the said Extreme Column, which one of the said managers shall sign with his own name; and he or they shall permit the Contributor or Adventurer (if it be desired) to write his or her name or Mark on the two corresponding Tickets in the same Book: and at the same Time the said Managers or one of them, shall deliver unto the said Contributor or Adventurer, the Ticket so cut off, which he, she, or they are to keep and use for the better ascertaining and Securing the Interest which he, she or they, his, her or their Executors, Administrators or Assigns, shall or MAY have in the Said Lottery, for the monies so by him, her, or them contributed or adventured, until the said Adventurer, by the drawing of Lots, and the Payment of such Tickets as shall be fortunate, shall be fully Determined.

AND BE IT FURTHER ENACTED, That the said Managers, at a Meeting as aforesaid, shall cause all the Tickets of the middle Column in the Books, to be cut indentwise through the said Oblique Lines, Flourishes or Devices, and carefully rolled up as much alike as may be, and made fast with Thread; and in the presence of such Contributors or Adventurers as will be there present, cause all the Said Tickets which are to be rolled up and made fast as aforesaid, to be put into a Box prepared for that Purpose, and to be marked with the Letter (A) which is presently to be put into another Strong Box, and to be locked up with two different Locks and Keys, to be kept by as many Managers, and Sealed with their seals, until the said Tickets are to be drawn as is herein after mentioned; and that the Tickets in the first and innermost Column of the said Books, Shall remain still in the Books for discovering any mistake or fraud, if any such should happen to be committed contrary to the true Intent and Meaning of this Act.

AND BE IT FURTHER ENACTED by the same Authority that the Managers before mentioned, shall cause to be prepared, other Books, in which Every Leaf shall be divided or distinguished in two Columns, and upon the innermost of these two Columns there shall be printed Five Thousand Tickets, and

upon the outermost of the said two Columns, there Shall be printed Five Thousand; all which shall be of Equal Length and Breadth as near as may be: which two Columns in the said Book shall be joined with Some Flourishes or Devices, through which the outermost Ticket may be cut off indentwise; and that One Thousand and Ninety four Tickets, Part of those to be contained in the outermost Column of the Books Last mentioned, Shall be called fortunate Tickets, to which Benefits shall belong, as herein after mentioned; AND the said Managers shall cause the said fortunate Tickets to be written upon, or Otherwise expressed, as well in Figures as in words at Length, in Manner following, that is to say, upon one of them Five Hundred Pounds upon one Other of them Two Hundred Pounds; upon two other of them severally One Hundred Pounds; upon Ten Other of them severally Fifty Pounds, upon Thirty Other of them Severally Twenty Pounds; upon Fifty Other of them severally Ten Pounds: and upon One Thousand of them Severally Five Pounds; which Sums So to be written, or Otherwise expressed upon the Said fortunate Tickets, will Amount in the whole to the sum of seven Thousand Five Hundred Pounds, which is the produce of five Thousand Tickets, according to the Valuation of One pound Ten shillings for Each Ticket, as Before mentioned.

AND BE IT FURTHER ENACTED By the Authority aforesaid, That the Managers before mentioned, shall cause all the said Tickets contained in the outermost Column of the Last mentioned Books, in the Presence of such Contributors or Adventurers as will then be there present, to be cut out indentwise, through the said Flourishes or Devices, and carefully rolled up, as near as may be alike, and fastened with Thread and put into another box, to be prepared for that Purpose, and to be marked with the Letter (B) which Box shall be presently be put into another Strong Box, and locked up and Sealed in the manner as the Box Lettered (A) until these Tickets shall also be drawn, in the manner and form hereafter mentioned: And that no money shall be received from any Contributor or Adventurer towards this Adventure as aforesaid, after the first Tuesday in August next: and the whole Business of rolling up and cutting off, and putting in the said Boxes the said Tickets, and locking up and sealing the said Boxes, shall be performed by the said Managers on or before the said first Tuesday in August next, And to the End every Person concerned may be

well assured that the Counterpart of the same Number, with his or her Ticket, is put into the Box marked with the Letter (A) from whence the same may be drawn, and that Other Matters are done as hereby directed, some public Notification in Print shall be given of the PRECISE Time or times of the cutting the said Tickets, and putting them into the Boxes, to the End that such Adventurers as shall be minded to see the same done, may be present at the doing thereof

AND BE IT FURTHER ENACTED by the Authority aforesaid, That on or before the first Tuesday in August next, the Managers shall cause the said several Boxes, with all the Tickets therein, to be brought into the City Hall of the City of Albany by Nine of the Clock in the Forenoon of the same Day, and shall then and there attend the Service, in order for drawing, with two Clerks, with Books prepared for that Purpose, to enter down all the fortunate Tickets, And the said Managers being prepared for Drawing, shall cause the two Boxes containing the said Tickets, to be Severally taken out of the other two Boxes in which they shall have been locked up; and the Tickets or Lots in the respective innermost Boxes, being in the Presence of the said Managers, and of such Adventurers as will be there present, for the satisfaction of themselves, well shaken and mingled in Each Box distinctly; and some one indifferent and fit Person to be appointed and directed by the said Managers, shall take out and draw one Ticket from the Box where the said numbered Tickets shall be as aforesaid put; and another indifferent and fit Person to be appointed and directed in like Manner, shall, immediately, draw a Ticket or Lot from the Box where the One Thousand and Ninety four fortunate, and Three Thousand Nine hundred and Six blank Tickets shall be promiscuously put as aforesaid; and immediately both the Tickets so drawn shall be opened, and the Number as well of the fortunate as blank Tickets, shall be named aloud; and if the Ticket taken or drawn from the Box, containing the fortunate and Blank Lots, shall appear to be Blank, then the numbered Ticket so drawn, with the said Blank at the same time drawn, shall be wrote upon Blank, and shall Both be put on one file; and if the Ticket so drawn or taken out of the Box, containing the fortunate and Blank Lots shall appear to be one of the fortunate Tickets, then the sum written upon such fortunate Ticket, (whatsoever it may be) shall be entered by the Clerk so appointed, into the Books prepared for that purpose,

together with the Number coming up with the said fortunate Ticket; And one of the said managers shall SET their Names as a witness to every such Entry, And the said fortunate and numbered Tickets so drawn together, shall be put upon another File; and so the Said Drawing of the Tickets shall continue, by taking one Ticket at a Time out of Each Box; and with opening naming aloud, and filing the same, and by entering the fortunate Lots in such Manner as is before mentioned, until the whole Number of One Thousand and Ninety four fortunate Tickets shall be compleatly drawn, and if the same cannot be performed in one day's Time, the said managers shall cause the Boxes to be locked up and sealed in the Manner as aforesaid, and adjourn till the next Day, and so from Day to Day, and every Day (except Sunday) and then open the same, and proceed as above, till the said whole Number of fortunate Tickets shall be compleatly drawn as aforesaid.

AND to the End that the Adventurers may have all possible satisfaction in the due, regular, and just Management of the said Lottery; BE IT ENACTED by the Authority aforesaid, That the Mayor, Recorder, Aldermen and Commonalty of the City of Albany may, and are hereby impowered to appoint every Day during the whole Course of the Lottery, two or more of their Body, to inspect all and every Transaction of the said Lottery hereby directed and required: And that each County in the Colony may, and are hereby impowered, if they see Cause, to depute two Justices of the Peace, or other reputable Freeholders or Inhabitants for the aforesaid Inspection, with proper Certificates of their being so deputed, from the next, or any subsequent General Sessions of the Peace; and the said Managers are hereby directed and required to admit them, and the said Members of the Said Corporation, to the aforesaid Inspection accordingly.

AND BE IT FURTHER ENACTED by the Authority aforesaid, That immediately after the drawing be finished, the said Managers are hereby required, to publish in the New York Gazette, the Numbers drawn against the fortunate Lots, with the Prizes or sums drawn by or belonging to each of them respectively; and as soon as the Drawing shall be over, shall pay THE said Sums to such Person who shall produce Tickets, with the Numbers drawn against such fortunate Lots, they, the said Managers first deducting Fifteen per Cent out of the said fortunate Lots, to be applied as herein after directed,

AND BE IT FURTHER ENACTED by the Authority aforesaid. That if any Person or Persons shall forge or counterfeit any ticket or Tickets to be made forth on this Act, or alter any of the Numbers thereof, or bring any forged or Counterfeited Tickets, or any Ticket whereof the Number is altered, knowing the same to be such, to the said Managers, or either of them, to the intent to defraud the Corporation aforesaid, or any Contributor or Adventurer, or the Executors, Administrators or Assigns of any Contributor or Adventurer, upon this Act; then every such Person or Persons (being thereof convicted in due form of Law) shall be adjudged a Felon, and shall suffer Death as in the Case of Felony, without Benefit of Clergy: And the said Managers, or either of them, are hereby authorized, required and impowered, to cause any Person or Persons, bringing such altered, forged or counterfeited Ticket or Tickets as aforesaid, to be apprehended, and to commit him, her, or them, to his Majesty's Goal of the City of Albany to be proceeded against for the said Felony According to Law.

And be it further Enacted by the Authority aforesaid. That every of the Managers hereby appointed for putting this Act in Execution, before his acting in such Commission, shall take the Oath following that is to say,

I A. B. do swear that I will faithfully execute the Trust reposed in me, and that I will not use any indirect Art or means, or permit or direct any Person to use any indirect Art or Means, to Obtain a Prize, or fortunate Lot for my self, or any Person whatsoever; and that I will use the utmost of my Endeavours to prevent any undue or sinister Practice to be done by any Person whatsoever; and that I will to the Best of my Judgment, declare TO whom any Prize, Lot or Ticket of Right does belong, According to the true Intent and Meaning of the Act of the Lieutenant Governor, Council and General Assembly, Passed in the Year of Our Lord One Thousand seven Hundred and Fifty Eight in that Behalf: Which Oath shall be Administered by one of the Judges of the Court of Common Pleas of the said County.

PROVIDED ALWAYS, AND BE IT ENACTED, by the Authority aforesaid. That the Managers hereby appointed, before they take the Oath prescribed by this Act, or performed, or Execute any Thing therein contained, shall first enter into the following Recognizances to our sovereign Lord the King, his heirs and Successors, that is to say, each of them before one of the judges of the Court of Common Pleas in the County of



Albany, in the sum of Two Thousand Five Hundred Pounds with two sufficient Securities each, in half that sum, Conditioned, that they shall and will, well and truly each for his part, Execute the Trust reposed in them by this Act; and well and truly observe, do, and perform all the directions thereby required to be done and performed by them, According to the true Intent and Meaning thereof, which several Recognizances are to be delivered to the Treasurer, by the Judge before whom the same Shall be so taken (having first Caused the same to be Recorded in the Minutes of the said Court) in order to be Lodged in the Treasury.

AND BE IT FURTHER ENACTED by the Authority aforesaid, That the several Deductions of Fifteen Pounds per Cent; upon the whole Number of fortunate Tickets, shall by the aforesaid Managers, be paid unto the Mayor, Recorder and Aldermen of the City of Albany, or the major part of them, for the time being, for and towards paying the Debts of the said Corporation Accrued as Aforesaid, Out of Which, nevertheless, the said Managers Shall retain in their own Hands (in Case the Lottery be Actually drawn) the sum of Fifty Pounds to each of them; And for each of the two Clerks, six Shillings per Diem, for every Day they shall be Actually employed in said Drawing; for each of the two Persons who shall draw the Tickets, Three Shillings per Diem, for every day they SHALL be so employed; and such further sum as shall be requisite for paying all reasonable Charges for printing Books, Tickets, and Advertisements, and such Other Incidents as may Necessarily be required in the said Lottery.

AND BE IT FURTHER ENACTED by the Authority aforesaid, That no Fee or Gratuity whatsoever, shall or may be demanded, or taken of any Person or Persons, Contributors or Adventurers to the Lottery aforesaid, by any Manager or Managers, or any other Officer or Officers appointed by this Act, for any Thing that shall be done pursuant to this Act; upon Pain, that any Officer or Person offending, by taking any Fee or Gratuity, contrary to this Act, shall forfeit the sum of Fifty Pounds, to the party Grieved; to be recovered, with full Costs, in any of his Majesty's Courts of Record within this Colony.

AND BE IT ENACTED by the Authority aforesaid, That in Case all the said Five Thousand Tickets shall not be sold or disposed of before the said first Tuesday in August next, that then the Money that has been received for any Ticket or Tickets by

Virtue of this Act, shall be, by the said Managers, repaid to the person or Persons of whom the same shall have been received, his, her or their Executors, Administrators or Assigns, he, she, or they first producing the several Tickets for which such payment shall be required; and the Lottery hereby erected and made, shall, from thenceforth become void; Any thing in this Act, contained to the Contrary hereof notwithstanding.

PROVIDED, AND BE IT ENACTED, That in Case the said Five Thousand Tickets aforesaid, be sold and disposed of in Manner aforesaid, before the first Tuesday in August next, that then the Managers shall proceed to the drawing the Lots, in Manner aforesaid, first giving publick Notice thereof in the New York Post Boy, at least fourteen Days before the drawing the same; Any Thing in this Act to the Contrary notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid, That if either of the before mentioned Managers shall happen to die, remove out of the Colony, or refuse to act According to the several and respective Powers and Authorities hereby directed and required, it shall and may be Lawfull to and for the Governor, or Commander in Chief for the Time being, by and with the Advice and Consent of his Majesty's Council, to nominate and Appoint some Other fit Person or Persons to be Manager or Managers, in the Place and Stead of the Manager or Managers so dying, removing, or refusing to act as Aforesaid; any Thing herein contained to the contrary notwithstanding. Provided that the Person or Persons who may be so Appointed, shall be obliged to take the Like Oath, enter into the like Recognizances and sureties, as is herein directed to be done by the Managers named in this Act; and be in all Respects, as subject to observe and perform the several Directions of this Act, as if he or they had been named Or Appointed in it.

#### [CHAPTER 1063.]

[Chapter 1063, of Van Schaack, and chapter 141 (vol. 2) of Livingston & Smith, where the title only is printed.]

#### 'An Act for Payment of the Debts of this Colony.

[Passed, June 8, 1758.]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same that the Treasurer of this Colony,

Shall and he is hereby Directed to Pay the several Sums of money following out of the following Several Funds, to Wit, out of the ballance of One thousand one hundred and Seventy three Pounds Four Shillings and one half penny Still in his hands unapplied of the Sum of Fourteen thousand three hundred and Twenty three Pounds Fifteen shillings and three Pence Sterling Remitted to this Colony from England And out of the moneys in his hands by Virtue of the three following Acts VIZt; "An Act for Erecting and Establishing a Stamp office in this Colony for "Stamping all Vellum Parchment and Paper charged with the "Several Duties therein Mentioned" "An act for laying an "Excise upon all Tea of foreign Growth retailed within this "Colony" And "An Act for Raising Paying and Cloathing Two "thousand Six hundred and Eighty effective men officers Included for forming an Army of Twenty thousand men with "the Forces of the Neighbouring Colonys to Invade the French "Possessions in Canada in Conjunction with a Body of his "Majesties Regular Troops and other Purposes therein mentioned" VIZt.

Unto Sir Charles Hardy Knight late Governor of this Colony opr to his order for money's advanced by him for Materials and Workmanship to the House in Fort George in the Years One thousand Seven hundred and fifty Six and one thousand seven hundred and fifty Seven the sum of One hundred Fifty Six Pounds four Shillings and Six Pence.

Unto Volckert P. Douw for Providing Fire Wood and Candles for his Majesties Garrison in the City of Albany from the first of September One thousand seven hundred & Fifty five to the first day of September One thousand seven hundred & Fifty six the sum of Two hundred Pounds.

Unto the said Volckert P. Douw for providing Fire Wood for his Majesties Garrison at Schenectady in the latter part of the Year One thousand Seven hundred and Fifty five the Sum of Thirty Pounds

Unto the said Volckert P. Douw for providing Fire Wood for his Majesties Garrison at Fort Hunter in the latter part of the Year One thousand Seven hundred and Fifty Five the sum of Twenty one Pounds

Unto John Dies for Materials and Workmanship to the House in Fort George in the Year One thousand Seven Hundred and Fifty seven the Sum of Five hundred and Sixty Pounds

UNTO Robert Charles Esquire Agent for this Colony in Great Britain for Sundry Disbursements for the service of this Colony

during the Years One thousand seven hundred & Fifty four, One thousand seven hundred and Fifty five and one thousand seven hundred and Fifty six as per his account the sum of Three hundred and Twenty seven Pounds three Shillings Seven Pence

Unto the said Robert Charles for his Extraordinary Trouble in the service of this Colony during the said time the further Sum of Two hundred Pounds.

Unto the Corporation of the City of New York for sundry Disbursements for his Majesties Troops and other publick Services at the Request of the General Assembly the Sum of One hundred Sixty three Pounds one shilling and ten pence half Penny

Unto Jacob Goelet for the expence of Binding Forty seven vollums of old Records of this Colony for his Service in attending and Examining the same And for Translating Sundry old Dutch Papers the sum of Fourteen Pounds and Eight shillings

Unto Ephraim King Junior for the expence of curing his Hand maimed in the service of this Colony and for his Support whilst under the Surgeons Hands the sum of Twenty Pounds

Unto William Nicoll Esqr for the expence of supporting such of the People called Neutral French as were unable to Subsist themselves in Suffolk County according to the several accounts brought in from Southold Easthampton Southampton and Huntington Since the last Provision made by act for the said People the sum of one hundred and Eight Pounds seven Shillings and one Penny.

Unto Benjamin Seamon Esquire for the Support of such of the said People in Richmond County as were unable to Subsist themselves according to the several accounts brought in from the said County Since the last Provision made by act for the said People the sum of sixteen Pounds Thirteen shillings and nine pence half Penny

Unto Benjamin Nicoll Esquire for his Service as attorney at Law in defending the Cause of this Colony Against Archibald Kennedy Esquire Collector of his Majesties Customs in this Colony who had seized a large Quantity of Gun Powder Purchased for his Majesties Service in the defence of this Colony under pretence of it's being Illegally Imported the sum of Fifty four Pounds Two Shillings and Seven pence.

Unto William Livingston Esquire Attorney at Law for the like Service the sum of Twenty three Pounds and Nine Shillings

Unto John McEvers Esqr. Attorney at Law for the like Service the sum of Twenty three Pounds and Ten Shillings

UNTO Colonel Beamsley Glasier who commanded the Forces of this Colony as Colonel in the last Campaign for furnishing his Table the sum of Fifty Pounds.

Unto John Coe and John P. Smith for the Expence of Transporting Several of the People called Neutral French into Orange County in the Year One thousand Seven hundred and Fifty Six and Supporting them there the sum of Two Pounds and thirteen Shillings

Unto Isaac Willet Esquire Sheriff of Westchester County for his own account and for what he stands charged with by several other Persons for the Expence attending the Transportation and Maintenance of Forty four of the People called Neutral French in Westchester County in the Year one thousand Seven hundred and Fifty Six the sum of Sixty Eight Pounds seven shillings and Ten pence half penny

Unto Maurice Lott Esqr. Sheriff of Kings County for his own Account and for what he stands charged with by Several Persons for the Support of sundry French Prisoners of War Since the Commencement of the Present War And Sundry of the People called Neutral French unable to provide for their own Subsistence Since the last Provision made by act as per his General account the Sum of Two hundred and Sixty Six Pounds fourteen shillings and one Penny half penny

Unto Thomas Hinchman of Queens County for Lodging and Victualling Twenty four French Prisoners of War being Officers from the Sixteenth of August One thousand seven hundred and Fifty Seven to the Twentieth of September following and for the maintenance of six of the People called Neutral French In August and September One thousand seven hundred and Fifty Seven at the Rate of Seven Shillings per Week Each the sum of Thirty Eight Pounds three shillings

Unto William Sacket of Queens County for Lodging and Victualling Two French officers from the Twenty fourth of January One thousand seven hundred and Fifty Eight to the fourth of April following at Seven Shillings per Week the sum of Seven Pounds.

Unto John Losie of Queens County for Lodging and Victualling Two French officers fourteen Weeks as per his account dated the Twenty Fifth of January One thousand Seven hun-



dred and fifty Eight at the Rate of seven Shillings per Week the Sum of Ten Pounds two Shillings

Unto John Foster of Queens County for lodging and Victualling Four French officers from the Twelfth of August One thousand Seven hundred and Fifty Seven to the fifteenth of the same month at the Rate of seven Shillings per Week and for removing their Baggage the sum of Eighteen Shillings

Unto William Denton of Queens County for Lodging and Victualling Four French officers from the Twelfth of August One thousand Seven hundred and Fifty Seven to the Fifteenth OF the same Month at the Rate of Seven Shillings per Week the sum of Sixteen Shillings.

Unto Jonah Roads of Queens County for Lodging and Victualling Four French Officers three Weeks and two Twenty one Weeks as per his Account dated the Ninth of March One thousand Seven hundred and Fifty Eight at the Rate of seven shillings per Week each the sum of Eighteen Pounds Eighteen Shillings.

Unto Joseph Betts of Queens County for Lodging and Victualling Two French officers Twelve Weeks and Four Days as per his account dated the Thirteenth of May One thousand Seven hundred and Fifty Eight at the Rate of seven shillings per Week Each the sum of Eight Pounds Sixteen Shillings

Unto Joseph Lawrence of Queens County for lodging and Victualling Three French Officers from the Twenty fourth of January One thousand seven hundred and Fifty Eight to the Twenty fifth of February following as per his account dated the thirteenth of May One thousand seven hundred and Fifty Eight at the Rate of seven Shillings per Week Each the Sum of Four Pounds and Nineteen Shillings

Unto Richard Pinfold of Queens County for Lodging and Victualling Two French Officers from the Twentieth of September One thousand Seven hundred and Fifty Seven to the Twenty fourth of January One thousand Seven hundred and Fifty Eight and from that Day to the Fifteenth of May following According to two Several Accounts at Seven shillings per Week Each the Sum of Twenty three Pounds Sixteen Shillings

Unto Nathaniel Moore of Queens County for lodging and Victualling Two French Officers from the Twentieth of September One thousand seven hundred and Fifty Seven to the Thirtieth of January One thousand Seven hundred and Fifty Eight and from the Thirty first of said Month to the fifteenth of May

Enemy from the First of August One thousand Seven hundred and fifty Six to the Second of August One thousand Seven hundred and Fifty Seven by order of the said Colonel as per account the sum of Forty four Pounds Eighteen shillings

Unto Lieutenant Andries Wilbeeck for himself and Company of Militia for Marching to the Frontiers aforesaid against the Enemy in April One thousand Seven hundred and fifty Seven as per account the Sum of fifty four Pounds.

Unto the said Lieutenant Andries Wilbeeck for himself and Company of Militia for Marching to the said Frontiers against the Enemy in August One thousand Seven hundred & fifty Seven as per account the Sum of One hundred and Forty One Pounds.

Unto Captain Jeremiah Hoogeboom for himself and Company of Militia for several Marches on the said Frontiers against the Enemy from the Fourth of April One thousand Seven hundred and Fifty Seven to August following by order of Colonel John Van Rensselaer as per account the sum of Two hundred and Forty Pounds and Two Shillings

Unto Captain Peter Wagener for himself and Company of Militia for several Marches on the Frontiers aforesaid against the Enemy from the Tenth of September One thousand Seven hundred and fifty five to the Twentieth of November One thousand seven hundred and Fifty Seven by order of the Field officers as per account the Sum of Five hundred and Fifty one Pounds four Shillings

Unto Captain William Warmoot for himself and Company of Militia for Several Marches on the said Frontiers against the Enemy from the Tenth of September One thousand Seven hundred and Fifty Six to the first of February One thousand Seven hundred and Fifty Eight by order of Colonel Johnson. as per account the sum of Four hundred and Seventy six Pounds seven shillings

Unto Captain Peter Conyn for himself and Company of Militia for several Marches on the said Frontiers from the Twentieth of February One thousand Seven hundred and Fifty Eight to the Eighteenth of March following against the Enemy by order of Colonel Johnson as per account the Sum of Ninety Pounds Eleven Shillings

Unto Lieutenant William Van Ness for himself and Company of Militia for marching to the said Frontiers against the Enemy

In March One thousand Seven hundred and Fifty Seven by order of Colo. Rensselaer as per account the sum of Forty Pounds sixteen shillings

Unto Captain John Saunders for himself and Company of Militia for marching to the said Frontiers against the Enemy in February last by order of Colonel Johnson as per account the sum of Five Pounds two shillings

Unto John Baptist Van Eps for Ferrriages of men and Horses of the Militia of the County of Albany over the River at Schenectady in the year One thousand Seven hundred and fifty Seven in discharge of his account of Five Pounds Seventeen shillings and two Pence against this Colony the sum of three Pounds.

Unto Captain John Winne for himself and Company of Militia for several marches on the said Frontiers against the Enemy from the Twentieth of March One thousand Seven hundred and fifty Seven to the Twenty second of August following by order of Colonel Rensselaer as per account the sum of Ninety Two Pounds Eighteen Shillings.

Unto Lieutenant Jacobus Van Allen for himself and Company of Militia for several Marches on the said Frontiers against the Enemy from the Twentyfirst of March one thousand Seven hundred and fifty Seven to the Twentieth of August following by order of Colonel Rensselaer as per account the sum of One Hundred and Twenty three Pounds four shillings

Unto Captain Hendrick M. Roosseboom for himself and Company of Militia for several marches on the said Frontiers against the Enemy from the Twentieth of March One thousand Seven hundred and fifty Seven to the Seventeenth of August following by order of Colonel Rensselaer as per account the sum of One hundred and Six Pounds Eighteen shillings

Unto Captain John Legget for himself and Company of Militia for marching to the GERMAN Flats against the Enemy from the fourth to the fourteenth of April One thousand Seven hundred and fifty Seven as per account the sum of Twenty Two Pounds

Unto Captain Nicholas Vischer for himself and Company of Militia for marching on the said Frontiers When Fort William Henry was destroyed from the fourth to the Twentieth of August last against the Enemy by order of Colonel Rensselaer as per account the Sum of Eighty three Pounds and Six Shillings.

Unto Captain Harmen Knickerbacker for himself and Company of Militia for several Marches on the said Frontiers against the Enemy from August in the Year One thousand seven hun-

dred and Fifty Six to the Twenty seventh of March following by order of Colonel Rensselaer as per account the sum of Twenty Eight Pounds Eight Shillings.

Unto the said Captain Knickerbacker for himself and Company of Militia for marching on the said Frontiers Against the Enemy when Fort William Henry was attacked and destroyed from the third to the Twenty Second of August last by order of Colonel Rensselaer as per account the sum of Eighty Five Pounds Ten Shillings.

Unto Lieutenant Gerrit Marsilius of Captain John B Van Rensselaer Troop of Horse for himself and party of Militia under his Command for Marching on the said Frontiers against the Enemy When Fort William Henry was attacked from the Twenty Third to the Twenty Seventh of March One thousand Seven hundred and Fifty seven by order of Colonel Rensselaer as per account the sum of twenty three Pounds fifteen Shillings.

Unto Lieutenant John Glen of Captain Rensselaers Troop of Horse for himself and Party of Militia under his Command for marching to the German Flats against the Enemy from the Third to the Thirteenth of April One thousand Seven hundred and fifty seven by order of Colonel Rensselaer as per account the Sum of Fifty three Pounds.

Unto Captain John B Van Rensselaer for himself and Company of Militia under his Command for marching to Fort Edward against the Enemy when Fort William Henry was destroyed from the fifth to the seventeenth of August last by order of Colonel Rensselaer as per account. the sum of Ninety three Pounds twelve Shillings.

Unto Lieutenant Cornelius Teymese for himself and party of Militia under his Command for marching to the Northern Frontiers Against the Enemy when Fort William Henry was attacked from the Twentieth to the Twenty Eight of March one thousand seven hundred & fifty Seven by order of Colonel Rensselaer as per account the sum of Seventeen Pounds and Four Shillings.

Unto the said Cornelius Teymese for himself and Party of Militia under his Command for Marching to the German Flats Against the Enemy from the fifth to the Thirteenth of April One thousand Seven hundred and fifty Seven by order of Colonel Rensselaer as per Account the sum of Twenty two Pounds Ten shillings.

Unto Lieutenant Dirk Van Derheyden for himself and Party of Militia under his Command for marching on the Northern

Frontiers against the Enemy when Fort William Henry was destroyed from the Sixth to the Twentieth of August last by order of Colonel Rensselaer as per account the sum of One hundred and fourteen Pounds fifteen shillings.

Unto Lieutenant William Hogan for himself and Party under his Command for Several Marches to the German Flats against the Enemy, to Wit in August One thousand Seven hundred and fifty Six and from the third to the Thirteenth of April One thousand Seven hundred and fifty Seven by order of Colonel Rensselaer as per account the sum of Sixty Eight Pounds and four Shillings.

Unto Ensign Samuel Pruym of Captain Bradt's Company for himself and Party of Militia under his Command for marching to the Frontiers against the Enemy when Fort William Henry Was Attacked and Destroyed from the fourth to the Eighteenth of August last by order of Colonel Rensselaer as per account the sum of Fifty three Pounds Eighteen shillings.

Unto Ensign Ryckert Van Vraecken for himself and Party of Militia under his Command for marching to the German Flats against the Enemy when Oswego was destroyed in August One thousand Seven hundred and Fifty Six by order of Colonel Rensselaer as per account the sum of Thirty five Pounds fifteen Shillings.

Unto Lieutenant Simon Johannis Veeder for himself and Party of Militia under his Command for Marching to the Northern Frontiers against the Enemy when Fort William Henry was attacked from the Twenty second to the Twenty Eighth of March One thousand seven hundred and fifty Seven by order of Colonel Rensselaer as per account the sum of Twenty one Pounds and Seven shillings.

Unto Lieutenant John Fryer formerly a serjeant in Captain Bradts Company for himself and party under his Command for Marching to Fort Edward against the Enemy when Fort William Henry was attacked from the Twentieth to the Twenty Seventh of March One thousand Seven hundred and fifty Seven by order of Colonel Rensselaer as per account the Sum of Thirty Pounds and Eight Shillings.

Unto John Hansen Executor of Hans Hansen lately deceased for Several Sums of MONEY advanced by the said Hans Hans on several Occasions for the Service of the Government in the Year One thousand Seven hundred and Fifty five as per account



the sum of Forty three Pounds Nineteen shillings and Nine Pence.

Unto David Van Derheyden for money advanced by him for several Expresses in May and September One thousand Seven hundred and fifty five and in April and November one thousand Seven hundred and Fifty Six for the Service of the Government as per account the Sum of Eleven Pounds Sixteen Shillings and nine pence.

Unto Abraham Peek for going Express from Albany to New York in April One thousand Seven hundred and fifty Six by order of the aldermen of Albany as per account the Sum of Six Pounds.

UNTO Captain Thomas Ellison for himself and Company of Militia for marching to the Relief of Fort William Henry in August One thousand seven hundred and fifty seven and attending on Duty at Fort Edward till discharged And for sloop hire and for Transporting his men to Albany the sum of Fifty one pounds twelve Shillings And also for money advanced by him to several Private men for Ranging and Guarding the Western Frontiers in May and June in the Year aforesaid as per account the further sum of Nine Pounds.

Unto Captain Wilham Nealy for himself and Company of Militia for marching to the Relief of Fort William Henry in August last and attending on Duty at Fort Edward till discharged as per account the Sum of Twenty two pounds Nineteen shillings.

Unto Captain Johanna Newkerk for himself and Company of Militia for marching to the Relief of Fort William Henry in August last and attending on Duty at Fort Edward till discharged as per account the sum of Five Pounds two Shillings.

Unto Captain Jonathan Haasbrueck for himself and Company of Militia for marching to the Relief of Fort William Henry in August last and attending at Fort Edward on Duty till discharged And for sloop hire and Transporting his Men to Albany as per account the sum of Fourteen Pounds four Shillings.

Unto Captain Johannes Hardenbergh Junior for himself and Company of Militia for Marching to the Relief of Fort William Henry in August last and attending on Duty at Fort Edward till discharged And for Sloop hire and Transporting his Men to Albany as per account the sum of Twenty four Pounds fourteen Shillings.

Unto Captain William Borland for himself and Company of Militia for marching to Fort Edward by order of Colonel Ellison

and attending on Duty there till discharged in August last as per account the sum of Thirty three pounds seven Shillings.

Unto Captain Matthew Ray and Company of Rangers posted on the Western frontiers of this Colony from the Seventh of June One thousand Seven hundred and fifty Seven to the Twenty Sixth of September following as per account the Sum of Two hundred and Ninety pounds four shillings.

Unto Joseph Decker Serieant in Captain Smeedes Company of Militia in Ulster County for himself and party of Private Men for Guarding the Western Frontiers in October last as per account the sum of Two pounds twelve shillings and Six Pence.

Unto Ensign Matthew Ray for himself and party of Militia for marching after the Enemy when Roger Blumrelep's Family were murdered in Ulster County as per ACCOUNT the sum of Two Pounds Fourteen shillings and Six Pence

Unto Jacob Ter Willigen Corporal in Captain Hay's Company of Militia in Ulster County for himself and Party for Ranging and Guarding the Western Frontiers in September and October last as per account the Sum of One pound and Fifteen Shillings.

Unto George Gillaspy Serjeant in Captain Hay's Company of Militia for himself and party for Guarding the Western Frontiers in October last as per account the Sum of One pound Six Shillings and three Pence

Unto the said Ensign Matthew Ray for himself and Company of Militia for Ranging and Guarding the Western Frontiers in October last as per account the sum of Thirty five Shillings.

Unto the said Captain William Nealy for himself and Company of Militia for Ranging and Scouring the Woods on the Western Frontiers on the Discovery of some Signs and Tracts of the Enemy Indians in June last by order of Major Colden as per account the Sum of Two pounds fifteen Shillings and Nine Pence.

Unto the said Captain Johannes Newkerk for himself and Company of Militia for Ranging and Guarding the Western Frontiers Several times in the Months of May & October One thousand Seven hundred and Fifty Seven by Several Orders from Colonel Ellison and Colonel Clinton in full of his account the sum of Fifteen Pounds Sixteen shillings & three pence.

Unto Lieutenant William Falkener for himself and Company of Militia for Ranging and Guarding the Western Frontiers in May One thousand Seven hundred and fifty Seven as per account the sum of Five Pounds Ten shillings and three pence. |

Unto Moses Reed in Captain Borlands Company of Militia for himself & Party detached under his Command for Ranging and Guarding the Western Frontiers in October last as per account the sum of Two pounds twelve Shillings and Six Pence.

Unto Daniel Butterfield Serjeant in Captain Borlands Company of Militia for himself and party under his Command for Ranging and Guarding the Western Frontiers in October last as per account the sum of Three Pounds seventeen shillings and Six pence.

Unto George Booth in Captain Borlands Company of Militia for himself and Party for Ranging and Guarding the Western Frontiers in October last as per account the sum of Five Pounds Eight Shillings and Nine Pence.

Unto Lieutenant William Bull for himself and Company of Militia for Ranging and Guarding the Western Frontiers in May One thousand Seven hundred and fifty Seven as per account the sum of One pound Eleven shillings and Six pence.

Unto James Crawford Serjeant in Captain Borlands Company of Militia for himself and Party for Ranging and Guarding the Western Frontiers in October last as per account the sum of Thirteen Pounds two Shillings and Six Pence.

Unto Thomas Simeral Serjeant in Captain Borlands Company of Militia for himself and Party for Ranging and Guarding the Western Frontiers in October last as per account the Sum of Six Pounds Eighteen Shillings and nine pence.

Unto Captain Benjamin Smeedes for himself and Company of Militia for Ranging and Guarding the Western Frontiers Several times since the Commencement of the Present War as per account the sum of Eight Pounds Five Shillings and Six Pence.

Unto Johannes Roosa in Captain Smeedes Company of Militia for himself and party Detached for Ranging and Guarding the Western Frontiers since the Commencement of the present War as per account the sum of Three Pounds Six Shillings and three pence.

Unto Barent Cool in Captain Smeedes Company of Militia for himself and party detached under his Command for Ranging and Guarding the Western Frontiers since the Commencement of the present War as per account the sum of One Pound Five shillings.

Unto Lieutenant Zachariah Hoffman for himself and Company of Militia for Ranging and Guarding the Western Frontiers Since the Commencement of the present War as per account the sum of Ten pounds twelve Shillings and Six pence.

Unto the said Lieutenant Hoffman for himself and Party Detached to Repair to the County of Albany in the Year One thousand Seven hundred and Fifty five by order of Colonel G. Chambers as per account the sum of Three pounds and Six pence.

Unto Abraham Smeedes of Captain Smeedes Company of Militia for himself and Party under his Command for Ranging the Western Frontiers Since the Commencement of the present War as per account the sum of One Pound Eight Shillings and Nine Pence.

Unto Jacob Terwilligen Corporal in Captain Smeedes Company of Militia for himself and party under his Command for Ranging and Guarding the Western Frontiers in the Month of May in the Year One thousand Seven hundred and fifty Six as per account the Sum of One pound Seven shillings and Six Pence.

Unto Hendrick Van de Mark Serjeant in Capt. Smeedes Company of Militia for himself and party under his Command for marching to the County of Albany in September One thousand Seven hundred and fifty five by order of Colo. G. Chambers as per account the sum of Eight Pounds.

Unto the said Hendrick Van De Mark for himself and Party under his Command for RANGING and Guarding the Western Frontiers Since the Commencement of the Present War as per account the Sum of Four pounds Eleven shillings and three Pence.

Unto Joseph Decker Corporal in Captain Smeedes Company of Militia for himself and party under his Command for Ranging and Guarding the Western Frontiers Since the Commencement of the Present War as per account the sum of One Pound and Ten shillings.

Unto Isaac Terwilligen Corporal in Captain Smeedes Company of Militia for himself and parties under his Command for Ranging and Guarding the Western Frontiers since the Commencement of the present War as per account the sum of Three Pounds and Ten shillings.

Unto Abraham Terwilligen Serjeant in Captain Smeedes Company of Militia for himself and party under his Command for Ranging and Guarding the Western Frontiers Since the Commencement of the Present War as per account the sum of one Pound Thirteen Shillings & nine pence.

Unto Ensign Cornelius Schoonmaker for himself and Company of Militia under his Command for Ranging and Guarding the Western Frontiers Since the Commencement of the Present War as per account the Sum of Fourteen Pounds and Thirteen Shillings.

Unto Captain Thomas Allison Junior for himself and Company of Militia under his Command for aiding the Forces on the Northern Frontiers in November One thousand Seven hundred and fifty five as per account the sum of Four Pounds and Fourteen shillings.

Unto Ensign James Clinton for himself and party of Militia under his Command for Ranging and Guarding the Western Frontiers Since the Commencement of the Present War, as per account the sum of Five Pounds and Sixteen shillings

Unto Peter Mullender Serjeant for himself and Party of Militia under his Command for Ranging and Guarding the Western Frontiers since the Commencement of the Present War as per account the sum of Four Pounds Ten shillings

Unto Lieutenant James McLagary and Lieutenant James Humphreys for themselves and Parties under their Command for Ranging and Guarding the Western Frontiers in the Months of January February and March One thousand seven hundred and Fifty Six as per account the sum of Thirty Pounds ten shillings and three Pence.

Unto John Thomson Serjeant in Captain Ellisons Company of Militia for himself and party for Ranging and Guarding the Western Frontiers in the Months of February and June One thousand seven hundred and fifty six as per account the Sum of Five pounds five shillings

Unto Captain Jonathan Haashbroeck for himself and Company of Militia for marching to the County of Albany in November One thousand Seven hundred and fifty five to aid Sir WILLIAM Johnson as per account the sum of Four Pounds Eight Shillings.

Unto Lieutenant Samuel Denton for himself and Company of Militia under his Command for Ranging and Guarding the Western Frontiers Since the Commencement of the present War as per account the sum of Fourteen Pounds Sixteen shillings

Unto Ensign Samuel Sands for himself and Company of Militia under his command for Ranging and Guarding the Western Frontiers Since the Commencement of the Present War as per account the sum of Five Pounds Sixteen shillings



Unto Isaac Fowler Serjeant in Captain Haasbroecks Company for himself & party of Militia under his Command for Ranging and Guarding the Western Frontiers Since the Commencement of the Present War as per account two Pounds Ten shillings

Unto Lieutenant Lewis Dubois for himself and Company of Militia under his Command for Ranging and Guarding the Western Frontiers Since the Commencement of the Present War as per account the sum of Two Pounds Sixteen shillings

Unto Jehiel Clock Serjeant in Captain Haasbroecks Company for himself and Party under his Command for Ranging and Guarding the Western Frontiers Since the Commencement of the Present War as per account the sum of One pound and Ten shillings

Unto Lieutenant William Bull for himself and Parties under his Command for Ranging and Guarding the Western Frontiers in the Months of January April and November in the Year One thousand Seven hundred and Fifty Six as per account the Sum of Nine Pounds three Shillings and Six pence.

Unto Captain Jonathan Smith for himself and Company of Militia under his Command for Ranging and Guarding the Western Frontiers since the Commencement of the present War as per account the sum of Seven Pounds three Shillings and Six Pence.

Unto Lieutenant William Falkoner for himself and Parties of Militia under his Command for Ranging and Guarding the Western Frontiers in the months of January and May One thousand Seven hundred and Fifty Six as per his accounts the sum of Eight Pounds Five Shillings

Unto Daniel Butterfeild Serjt. for himself and parties of Militia under his Command for Ranging and Guarding the Western Frontiers in the Months of January and May One thousand Seven hundred and fifty Six as per account the sum of Three Pounds Ten shillings

Unto Ensign Thomas Bull for himself and Company of Militia under his Command for Ranging and Guarding the Western Frontiers in December One thousand Seven hundred AND fifty six as per account the sum of Fifteen Pounds Eleven Shillings & three Pence

Unto James Crawford Junior Serjeant for himself and party of Militia under his Command for Ranging and Guarding the Western Frontiers in January One thousand Seven hundred

and Fifty Six as per account the sum of Two Pounds one shilling & three Pence

Unto Lieutenant William Nealy for himself and Company of Militia under his Command for marching to the County of Albany in the months of September and November One thousand Seven hundred and Fifty five in aid of Sir William Johnson as per account the sum of Twenty Seven pounds Two shillings and Nine Pence.

Unto William Crawford Serjeant for himself and Party of Militia under his Command for Ranging and Guarding the Western Frontiers in May One thousand Seven hundred and fifty Six as per account the sum of Three Pounds and fifteen Shillings

Unto Benjamin Booth Serjeant for himself and Party under his Command for Ranging and Guarding the Western Frontiers in June One thousand Seven hundred and fifty Six as per his account the sum of seven shillings and Six Pence

Unto Captain Samuel Crawford for himself and Company for Ranging & Guarding the Western Frontiers in April 1756 as per account the sum of Five Pounds Eighteen shillings and Nine Pence

Unto Daniel Brown for himself and party of Militia for Ranging & Guarding the Western Frontiers in February one thousand Seven hundred and fifty six as per account the sum of One Pound Five Shillings

Unto John Whaney Serjeant for himself and parties of Militia for Ranging & Guarding the Western Frontiers in December in the Year One thousand Seven hundred and fifty five as per account the sum of Four Pound Six Shillings and Three Pence

Unto Lieutenant John Miller for himself and Comp. of Militia under his Command for Ranging and Guarding the Western Frontiers in March One thousand Seven hundred and Fifty Six as per account the sum of Six Pounds seven shillings and nine Pence

Unto Lieut Thomas Goldsmith for himself and Company of Militia under his Command for Ranging and Guarding the Western Frontiers in March One thousand Seven hundred and fifty Six as per account the sum of Eight Pounds sixteen shillings and Six Pence

Unto Lieutenant James McNeal for himself and Party of Militia under his Command for Ranging and Guarding the Western Frontiers in April One thousand Seven hundred and fifty Six as per account the sum of Four Pounds Four Shillings and one penny

Unto Lieutenant John Miller for himself and party of Militia under his Command for Ranging and Guarding the Western Frontiers in November One thousand Seven hundred and fifty Six as per account the sum of Seven Pounds five Shillings and nine Pence

Unto Captain Johannes Newkerk for himself and party of Militia for Marching toward the County of Albany in October One thousand seven hundred and fifty five by order of Colonel G Chambers as per account the sum of Nine Pounds ten shillings

Unto Ensign Adam Newkerk for himself and Parties of Militia under his Command for Ranging and Guarding the Western Frontiers in the Months of January March May June and July in the Year One thousand Seven hundred and Fifty Six as per account the sum of Twenty five Pounds one shilling and Nine pence

Unto Frederick Fackert in Captain Newkerk's Company of Militia for himself and party under his Command for Ranging and Guarding the Western Frontiers in May One thousand Seven hundred and fifty Six as per his account the Sum of five pounds five Shillings

Unto Lieutenant Johannes Krans for himself and Parties under his Command for Ranging and Guarding the Western Frontiers Since the Commencement of the Present War as per account the Sum of Thirteen pounds Eleven shillings and Six Pence

Unto Johannes Mole Serjeant in Captain Newkerks Company of Militia for himself and parties under his Command for Ranging and Guarding the Western Frontiers in the Months of January February May and June One thousand Seven hundred and Fifty six as per account the sum of five Pounds Seventeen shillings and Six pence

Unto Benjamin Constable Serjeant in Captain Newkerks Company for himself & parties under his Command for Ranging and Guarding the Western Frontiers Since the Commencement of the present War as per account the Sum of Seven Pounds three shillings and nine Pence

Unto Benjamin Comfort Serjeant in Captain Newkerks Company for himself and Party under his Command for Ranging and Guarding the Western Frontiers since the Commencement of the Present War as per account the sum of one pound and five Shillings

Unto John McLean Corporal in Captain Newkerks Company of Militia for himself and Party under his command for Ranging and Guarding the Western Frontiers Since the Commencement of the present War as per account the Sum of One pound and five Shillings

Unto Benjamin Klaerwater Serjeant in Captain Newkerks Company of Militia for himself and Parties under his Command for Ranging and Guarding the Western Frontiers Since the Commencement of the present War as per account the sum of twelve Pounds one Shilling & three pence

Unto Lieutenant Hendrick Van Keuren of Captain Hardenberghs Company of Militia FOR himself and Party under his Command for Ranging and Guarding the Western Frontiers in March One thousand Seven hundred and fifty six as per account the Sum of Three Pounds Six shillings

Unto John Master Serjeant in Captain Hardenbergh's Company of Militia for himself and Party under his Command for Ranging and Guarding the Western Frontiers in December One thousand Seven hundred and fifty Six as per account the sum of Two pounds Twelve shillings and Six Pence

Unto Lieutenant James Kain of Captain Hardenberghs Company of Militia for himself and Party under his Command for Ranging and Guarding the Western Frontiers Since the Commencement of the Present War as per account the sum of Four Pounds Sixteen Shillings

Unto Cornelius Cool Serjeant in Captain Hardenberg's Company of Militia for himself & Party under his Command for Ranging and Guarding the Western Frontiers Since the Commencement of the Present War as per account the sum of Three Pounds and Ten shillings

Unto Lieutenant James Graham of Captain David Hay's Company of Militia for himself and Party under his Command for Ranging and Guarding the Western Frontiers Since the Commencement of the Present War as per account the sum of Two Pounds one Shilling

Unto Lieutenant Dirk Rosa in Captain Hay's Company of Militia for himself and Parties under his Command for Ranging the Western Frontiers and also Guarding Messieurs Bruyn & Clinton in Surveying the Road from Munsink to Rochester in order to Erect Blockhouses in the Months of April and May One thousand Seven hundred and Fifty six in full of his account the sum of Nine Pounds Six Shillings and Six Pence

Unto Ensign Mathew Ray of Captain Hay's Company of Militia for himself and Parties under his Command for Guarding the Western Frontiers Since the commencement of the Present War as per account the sum of Two Pounds ten shillings and seven pence half penny

Unto David Craige of Captain Hay's Company of Militia for himself and Party under his Command for Guarding the Western Frontiers Since the Commencement of the Present War as per account the sum of Fifteen shillings

Unto George Burne Serjeant in Captain Hay's Company of Militia for himself and Party under his Command for Ranging and Guarding the Western Frontiers Since the Commencement of the Present War as per account the sum of Two Pounds.—

Unto John Wilkin for himself and Party for scouting on the Western Frontiers in July One thousand Seven hundred and Fifty Six as per account the Sum of Fifteen shillings —

Unto John Barin for himself and Party for scouting on the Western Frontiers Since the Commencement of the Present War as per account the sum of One Pound & fifteen Shillings

Unto James Gillespay for himself and Parties for Scouting on the Western Frontiers Since the Commencement of the Present War as per account the sum of Two pounds two shillings & six pence

Unto Sampson Sammons Serjeant in Captain Hay's Company of Militia for himself & Party under his Command for Ranging and Guarding the Western Frontiers Since the Commencement of the Present War as per account the sum of Three Pounds Eight shillings and Nine Pence

Unto Nathaniel Hill of Captain Hay's Company of Militia for himself and Party under his Command for Ranging and Guarding the Western Frontiers since the Commencement of the Present War as per account the sum of Sixteen Shillings and three pence

Unto Captain Stephen Nottingham for himself and Party of Militia Detached under his Command for Ranging and Guarding the Western Frontiers in November One thousand Seven hundred and fifty Six by order of Colonel Hardenbergh as per account the sum of Twenty five Pounds Five Shillings and three pence

Unto Isaac Decker Lieutenant in Captain Jacobus DeLamaters Company of Militia for himself and Party under his Command for Ranging and Guarding the Western Frontiers in



December One thousand Seven hundred and Fifty Six by order of the said Colonel as per account the sum of Nine Pounds Twelve Shillings

Unto Johannes Snyder Serjeant in Captain Delamaters Company of Militia for himself and party under his Command for Ranging and Guarding the Western Frontiers in May One thousand Seven hundred and fifty Seven by order of the Said Colonel as per account the Sum of Four Pounds Ten shillings

Unto Ensign Isaac Davis of Captain Nottinghams Company of Militia for himself and Party under his Command for Ranging and Guarding the Western Frontiers in June One thousand Seven hundred and fifty Seven by order of the said Colonel as per account the Sum of Twelve Pounds Fifteen shillings —

Unto Captain Johannes Beyler Junior for himself and Party of Rangers including three men detached out of Captain Jacob Hoorndeecks Company for Ranging and Guarding the Western Frontiers from the first of June One thousand seven hundred and Fifty Seven, to the first of September following by order of his Honour the Lieutenant Governor as per account the sum of Four hundred and Seventy Nine Pounds fourteen shillings —

Unto Lieutenant Abraham Dejo of Captain Josiah Eltings Company of Militia for himself and party detached under his Command for Ranging and Guarding the Western Frontiers in the Month of June One thousand Seven hundred and fifty Seven by order of the said Colonel as per account the sum of Seven pounds Eight Shillings and Nine Pence.—

Unto Captain Johannes Beyler Junior for himself and Party detached under his Command and for Ranging and Guarding the Western Frontiers Since the Commencement of the War by order of the said Colonel as per account the sum of Nine Pounds Eight shillings and nine pence

Unto Captain Stephen Nottingham for himself and Party under his Command for Ranging and Guarding the Western Frontiers in October One thousand seven hundred and fifty Seven by order of the said Colonel as per account the sum of Ten pounds Sixteen shillings and three pence

Unto Captain Johannes Crespall for himself and party under his Command for Ranging and Guarding the Western Frontiers in October One thousand seven hundred and fifty Seven by order of the said Colonel as per account the sum Ten Pounds Sixteen shillings & three pence

Unto Abraham Post Serjeant in Captain Wynkoop's Company of Militia for himself and party under his Command for Ranging

and Guarding the Western Frontiers in the Months of June and July One thousand Seven hundred and fifty Seven, by order of the said Colonel as per account the sum of Nine Pounds and Fifteen Shillings

Unto Captain Cornelius Van Bauren for himself and party of Militia under his Command for Ranging and Guarding the Western Frontiers in October One thousand seven hundred & fifty Seven as per Account the Sum of Two pounds Seventeen shillings

Unto Benjamin Low for himself and Party under his Command for Ranging & Guarding the Western Frontiers in the Month of November One thousand Seven hundred and fifty Seven as per account the sum of Six Pounds Seventeen Shillings and Six pence

Unto Jacobus Low for himself and Party under his Command for Ranging and Guarding the Western Frontiers in December One thousand seven hundred and fifty Seven as per account the sum of Twenty two Pounds Ten shillings and nine Pence

Unto Jacob Schoonmaker Ensign for himself and Party of Militia under his Command for Ranging and Guarding the Western Frontiers in May One thousand Seven hundred and fifty Seven, by order of Colo. Haasbroeck as per account the Sum of seven Pounds four Shillings —

Unto Jacobus Bush Corporal in Captain Hoornebecks Company of Militia for himself and Party under his Command for Ranging and Guarding the Western Frontiers in May One thousand Seven hundred and Fifty six as per account the sum of Three Pounds Ten shillings

Unto Lieutenant Jacobus De Puy Junior for himself and Party of Militia under his Command for Ranging and Guarding the Western Frontiers in May One thousand Seven hundred and fifty Seven as per account the sum of Three Pounds Six Shillings —

UNTO Petrus Schoonmaker in Captain Jacob Hoornebecks Company of Militia for himself and party under his Command for Ranging and Guarding the Western Frontiers in October One thousand seven hundred and fifty Seven as per account the sum of Thirty Shillings

Unto Jacobus Oosterhondt Serjeant for himself and Party of Militia under his Command for Ranging and Guarding the Western Frontiers in October last as per account the sum of Thirty Shillings

Unto Joshua Concklyn of Captain Haasbrook's Company of Militia for himself and one Private Man for Ranging and Scout-

ing on the Western Frontiers in October last as per account the Sum of Fifteen shillings

Unto Jacob Gilles for himself and one private man more of Captain Haasbroecks Company of Militia for Ranging and Scouting on the Western Frontiers in October last as per account the Sum of Seventeen Shillings and Six pence

Unto Patrick Hogan of Captain Haasbroecks Company of Militia for himself and Party under his Command for Ranging and Guarding the Western Frontiers in October last as per account the sum of One pound two shillings and Six pence

Unto William Elsworth of Captain Haasbroecks Company of Militia for himself and Party under his Command for Ranging and Guarding the Western Frontiers in October last as per account the sum of Two pounds three shillings and nine pence

Unto John Simson of Captain Haasbroecks Company of Militia for himself and Party under his Command for Ranging and Guarding the Western Frontiers in October last as per account the Sum of Three pounds Seven Shillings and Six pence

Unto Jacob Low, Johannes Frere, Philip Schoonmaker, Anthony Dumond and Johannes Van Etten as Guides to Captain Porters Company who were sent to Range and Guard the Western Frontiers in the months of December January and February last as per account the Sum of Five Pounds and Seventeen shillings

Unto Captain Jacob Hoornbeek for himself and Company of Militia under his Command for Marching to Fort Edward for the assistance of Fort William Henry when attacked by the Enemy and attending on duty there till discharged in August last as per account the Sum of Nine Pounds

Unto Captain Stephen Nottingham for himself and Party of Militia under his Command for marching toward Fort William Henry when Attacked by the Enemy (by order of Colonel Hardenberghs) and attending on Duty till Discharged in August last as per account the sum of Seven Pounds & Thirteen Shillings

Unto James Fulton as a Guide under Lieutenant Daniel Salbyan and Lieutenant Van Ingen AND Companies in Guarding and Ranging the Western Frontiers from the Twenty third of October to the Sixth of February last as per account the Sum of Sixteen Pounds four Shillings

Unto Jacob Niece for himself and Son John Niece as Guides under Ensign William Downing and Lieutenant Peter Van Ingen and Companies in Ranging and Guarding the Western

Frontiers from the Twentieth of October One thousand Seven hundred and Fifty seven to the Sixth of February following as per accounts the Sum of Thirty three Pounds.—

Unto Cornelius Terwilligen as a Guide under Lieutenant Peter Van Ingen and Company in Guarding and Ranging the Western Frontiers from the Twenty fifth of November One thousand Seven hundred and fifty Seven to the sixth of February following as per account the sum of Eleven Pounds and Two Shillings

Unto John Graham as a guide under Lieutenant Van Ingen and Company in Guarding and Ranging the Western Frontiers from the Twentieth of October One thousand Seven hundred and Fifty Seven to the Sixth of February following as per account the sum of Sixteen Pounds and Ten shillings

Unto Captain Cornelius Hoornbeeck and Company of Militia for several Marches up to Albany on Several Alarms in September and November in the Year One thousand Seven hundred and fifty five by order of Colonel G. Chambers as per account the sum of Forty two Pounds and three Shillings

Unto Captain Cornelius Hoornbeeck for several Services done and Sums of Money Expended in Relation to the Indians in Ulster County by the order of Sir Charles Hardy late Governor of this Colony in the year One thousand Seven hundred and Fifty five, as per account the Sum of Seven Pounds

Unto Charles Hardenbergh for Transporting several times Part of the Militia of Ulster County up to Albany in August One thousand Seven hundred and fifty Seven when Fort William Henry was attacked by the Enemy as per account the sum of Eight Pounds —

Unto Michael DeVoe for transporting part of the Militia of Ulster County up to Albany in August One thousand Seven hundred and fifty Seven when Fort William Henry was attacked as per account the sum of Nine Pounds

Unto Egbert Dumond for Transporting part of the militia of Ulster County up to Albany in August One thousand Seven hundred and fifty Seven when Fort William Henry was attacked as per account the sum of Four Pounds.—

Unto Captain Petrus Heermans of Dutchess County for himself and Company of Militia under his Command for marching to Albany for the Relief of Fort William Henry when attacked by the Enemy in March One thousand Seven hundred and fifty Seven and attending on Duty till Discharged as per ACCOUNT the sum of Twenty Pounds Eight Shillings

Unto Ensign Winnegar of Captain DeLamaters Company of Militia for himself and Party detached under his Command for marching towards the Northern Frontiers on an Alarm when Oswego was attacked by the Enemy in the Year One thousand Seven hundred and Fifty Six by order of Colonel Hoffman and attending on Duty till Discharged as per account the sum of Six Pounds twelve Shillings

Unto Lieutenant Remiss of Captain Johnsons Company late deceased for himself & Parties under his Command for several Marches on Alarms towards the northern Frontiers in the Years One thousand Seven hundred and Fifty five, One thousand Seven hundred and fifty Six and one thousand Seven hundred and Fifty Seven by orders of the Field officers of Dutchess County as per account the sum of Forty Pounds and Six Shillings

Unto Captain Francis Nehar for himself and Party under his Command for Marching to the Northern Frontiers on an alarm in March One thousand Seven hundred and Fifty Seven by order of Colonel Hoffman as per account the sum of Forty nine Pounds Ten shillings

Unto Captain Thomas Wheeler for himself and Several parties of his Company of Militia for Several Marches towards and on the Northern Frontiers on several alarms in the years One thousand Seven hundred and fifty five One thousand Seven hundred and fifty Six and One thousand Seven hundred and Fifty Seven as per account the sum of Sixty one Pounds Nine shillings

Unto Captain Simon Freir for himself and Party of Militia under his Command for Marching to the Relief of Fort William Henry when attacked by the Enemy in March One thousand Seven hundred and Fifty Seven by order of Colonel Hoffman and attending on Duty till discharged as per account the sum of Sixteen Pounds Sixteen Shillings

Unto Captain John Concklin for himself and Party of Militia under his Command for Marching to the Relief of Fort William Henry when attacked by the Enemy in March One thousand Seven hundred and Fifty Seven by order of the said Colonel Hoffman and attending on Duty till discharged as per account the sum of Eighteen Pounds Ten Shillings

Unto Lieutenant Frederick Berringer of Captain Nehar's Company of Militia for himself & Party under his Command for marching towards the northern Frontiers on an alarm in sep-



tember One thousand Seven hundred and fifty five as per account the Sum of Six Pounds Fifteen shillings

Unto Lieutenant Jacob Heermans for himself and Party under his Command for marching To Fort Edward for the Relief of Fort William Henry when attacked by the Enemy in August One thousand Seven hundred and fifty Seven and attending on duty till discharged as per account the sum of Twenty Nine Pounds Seven shillings

Unto Lieutenant Johannes Hale of Captain Humphreys Company of Militia for himself and Party under his Command for Marching to Albany on an Alarm in March One thousand Seven hundred and fifty Seven as per account the Sum of Twenty three Pounds Nine shillings

Unto Captain Thomas Wheeler for himself and Company of Militia under his Command for Marching up to Fort Edward on an alarm in August One thousand Seven hundred and Fifty Seven as per account the Sum of Sixty two Pounds Nineteen shillings

Unto Captain Robert Embree for himself and Company of Militia under his Command for marching towards the Northern Frontiers on an alarm in March One thousand Seven hundred and fifty Seven as per account the sum of Sixteen Pounds four Shillings

Unto Captain Hendrick Heermans for himself and Company of Militia under his Command for marching towards and on the Northern Frontiers on an alarm in March One thousand Seven hundred and Fifty Seven as per account the sum of Eighty Pounds Sixteen Shillings

Unto Lieutenant Petrus DuBois for himself and Party of Militia under his Command for marching up to Albany for the Relief of Fort William Henry when attacked by the Enemy in March One thousand Seven hundred and fifty Seven by order of Colonel Hoffman as per account the Sum of Nineteen Pounds Two Shillings

Unto Lieutenant Simon Kool Junior for himself and Party under his Command for marching up to Albany on an alarm When Fort William Henry was attacked by the Enemy in March One thousand Seven hundred and Fifty Seven and attending on Duty till discharged as per account the sum of Forty Two Pounds Ten shillings

Unto Lawrence Willsee an officer in Captain Arnout Viele's Company of Militia for himself and Party under his Command

for marching up to Albany on an alarm in August One thousand Seven hundred and Fifty Six by order of Colonel Hoffman as per account the sum of Thirteen Pounds five Shillings

Unto Captain Francis Brett for himself and Company of Militia under his Command for Marching up to Albany on an alarm in March One thousand Seven hundred and fifty Seven When Fort William Henry was Attacked by the Enemy as per account the Sum of Twenty Seven Pounds Three Shillings

Unto William Oostrande Serjeant in Captain Nehara Company of Militia for himself and Party under his Command for a march to the Northern Frontiers on an alarm in February One thousand Seven hundred and fifty five as per account the Sum of Three Pounds

Unto Captain Cornelius Luyster for himself and Company of Militia under his COMMAND for Marching up to Albany on an alarm in March One thousand Seven hundred and fifty Seven as per account the sum of Sixty Six Pounds —

Unto Captain Thomas Langdon for himself and Company of Militia under his Command for Marching up to Albany on the Alarm when Fort William Henry was attacked by the Enemy in March One thousand Seven hundred and Fifty seven as per account the sum of Thirty Six Pounds fourteen Shillings

Unto Lieutenant Moses Harris of Captain Nathan Smiths Company of Militia for himself and party under his Command for marching to the northern Frontiers on the alarm in March One thousand Seven hundred and fifty Seven, as per account the sum of Thirteen Pounds Nineteen Shillings

Unto Ensign Enos Mead of Captain Smiths Company of Militia for himself and party under his Command for marching to the Frontiers on the alarm when Fort William Henry was attacked by the Enemy in March One thousand Seven hundred and Fifty Seven as per account the Sum of Nineteen Pounds Ten shillings

Unto Captain Isaac De LaMater for himself and Several parties of his Company of Militia for Several Marches towards and on the northern Frontiers on several alarms to Wit in September and November One thousand Seven hundred and fifty five In April and August One thousand Seven hundred and Fifty Six and in March One thousand Seven hundred and fifty Seven by orders of Colonel Hoffman as per account the Sum of Thirty five Pounds Nine Shillings

Unto Captain John Concklin for himself and Company under his Command for marching up to Albany in September One

thousand Seven hundred and Fifty five on an alarm when the Enemy attacked General Johnson at Lake George by order of Colo. Hoffman as per account the sum of Twenty four Pounds Sixteen Shillings

Unto Lieutenant Matthew Van Keuren of Captain Concklin's Company of Militia for himself and Party under his Command for marching to Albany on an alarm in April One thousand Seven hundred and fifty six as per account the sum of Nine Pounds Eleven Shillings and three Pence

Unto Ensign Elias Van Bunschoten of Captain Concklin's Company of Militia for himself and Party's under his Command for marching up to Albany on Several alarms to Wit in November One thousand seven hundred and fifty five and in August One thousand Seven hundred and fifty Six by order of the said Captain Concklin as per account the sum of Fifteen Pounds Sixteen Shillings

Unto Captain Joseph Nicka for himself and Several Parties of his Company of Militia under his Command for several Marches on the Northern Frontiers on Several Alarms to Wit in September and November One thousand Seven hundred and fifty five and in March One thousand Seven hundred and Fifty Seven by order of Colonel Hoffman as per account the sum of Ninety Eight Pounds four Shillings

Unto Captain Zacharias Hoffman for himself and several Parties of his Company of Militia under his Command for marching up to Albany on several Alarms to Wit in September one thousand Seven hundred and fifty five when General Johnson was attacked at Lake George by the Enemy In August One thousand Seven hundred and fifty Six when Oswego was attacked And in August One thousand Seven hundred and fifty Seven When Fort William Henry was attacked and Destroyed by the Enemy as per account the sum of Forty Six Pounds Eight Shillings

Unto Captain Nathan Smith for himself and Company of Militia under his Command for Marching up to Fort Edward in August One thousand Seven hundred and fifty Seven when Fort William Henry was attacked and destroyed by the Enemy and attending on Duty till discharged as per account the sum of One hundred and One Pounds Twelve Shillings

Unto Doctor John Kittenman for sundry medicines and Plasters for the militia at Fort Edward in August One thousand Seven hundred and fifty Seven when Fort William Henry was at-

tacked and Destroyed by the Enemy as per account the Sum of Four Pounds Twelve Shillings and three Pence

Unto the Executors or administrators of George Dekey deceased for several Expresses from Orange County to New York in December One thousand Seven hundred and fifty five and in January One thousand Seven hundred and fifty Six in full of his account the Sum of Four Pounds

Unto Colonel Benjamin Tusten Captain Daniel Case and Captain John Bull for money advanced by them for Materials and Workmanship in Building and Compleating Two Blockhouses number One and number Two on the Western Frontiers in January last by direction of his Honour the Lieutenant Governor as per account the sum of One hundred Pounds Unto Lieutenant John Denton for himself and Party under his Command for attending and Guarding Colonel Clinton and Colonel Dekay in laying out the Ground and fixing the places for Erecting the said Blockhouses Pursuant to an order of Colonel Dekay in November One thousand Seven hundred and fifty Seven as per account the Sum of Six Pounds TWELVE Shillings.—

Unto the Executors or Administrators of Colonel Thomas Dekay deceased for several Services by him done and performed by orders from the Governor in the Years One thousand Seven hundred and fifty five and One thousand Seven hundred and Fifty six as per account the Sum of Sixteen Pounds

Unto Hugh Dobbin in Captain Wesenors Company of Militia for Money Engaged by him for the Pasturage of One hundred and fifteen Horses of Colonel's Dekey's Regiment near Albany in the alarm when Fort William Henry was attacked and Destroyed in August One thousand seven hundred and fifty Seven as per account the Sum of Four Pounds Seven shillings

Unto George Bloom and Thomas Ellison for Guarding Captain George Dekay from Goshen to Minisink with an Express from his Excellency Sir Charles Hardy in December One Thousand Seven Hundred and fifty Six as per account the sum of Two Pounds.—

Unto Peter Carter, David Benjamin, Philip Read, and Francis Armstrong for Guarding the Said George Dekay from Goshen to Minisink with an Express from his Said Excellency in January One thousand Seven hundred and fifty Six as per account the sum of Four pounds

Unto the said Peter Carter who broke his leg in the aforesaid Service in Consideration for his loss of time and Expence to the Surgeon the sum of Eight Pounds Six Shillings

Unto James Sayre and Ebenezer Gibbert Serjeants in Captain John Bulls Company of Militia for themselves and Parties under their Respective Commands for Guarding the Blockhouses aforesaid in the Months of February and March last as Per account the sum of Forty Six Pounds four shillings

Unto Colonel Vincent Matthews for a party of Guides to the Regulars Posted at Goshen from the Seventeenth of October One thousand Seven hundred and Fifty Seven to the Twenty Third of February following as per account the sum of Ninely Seven Pounds Ten shillings

Unto Captain John Wesenor and Company of Militia under his Command for Ranging and Scouting on the Western Frontiers in May and October One thousand Seven hundred and Fifty Seven in ful of his Account the Sum of Seven Pounds Thirteen shillings & nine pence

Unto Colonel David Gardiner and Major John Salman for the Purchasing one Barrel of Gun Powder for the use of the Great Guns in Suffolk County and for Providing materials and making Carriages for the same Great Guns the sum of Twenty one Pounds

Unto the Executors of Joseph Conckling deceased, Captain of a Company in the late Expedition for Reducing the French Fort at Crown Point for his Enlisting Two Private men in the said Company in the Year One thousand Seven hundred and Fifty six not yet paid for THE Sum of Two Pounds and likewise for one Drum Head furnished by him the further Sum of Eight Shillings

Unto Oliver DeLancey and John Cuylers Esquires And the Executors or administrators of Hans Hansen deceased for Balance of their Accounts Respecting the sale of the Provision Granted by the Government of Pennsylvania for the Service of the late Expedition against Crown Point the sum of Thirty Six Pounds Three shillings and nine Pence three farthings —

Unto Tannis Somerdyck for the use of his House for the General Assembly by Reason of the small Pox being in the City of New York from December One thousand Seven hundred and Fifty Seven to June following the sum of Twenty five Pounds.—

Unto James Parker Publick Printer for what he has been obliged to do Since the Commencement of the Present War beyond the usual Duty of his office the sum of Forty Pounds



Unto Abraham Lott junior for sundry Disbursements for the use of the General Assembly the Sum of Sixteen Pounds Fifteen shillings and One Penny

Unto Alexander Lamb Doorkeeper to the General Assembly for the Expence of Fire Wood for the General Assembly and Sundry Repairs to the assembly Chamber in the City Hall the sum of Eleven Pounds three shillings and three Pence.

AND BE IT ENACTED by the authority aforesaid that for answering the Expence of Contingencies and Extraordinary Exigencies that may happen for the Service of this Colony from and after the Publication of this Act Warrants may Issue for the same on the Treasurer from time to time if drawn by His Honour the Lieutenant Governor or Commander in chief for the time being with the advice and Consent of the Council Which the Treasurer is hereby ordered and directed to Pay out of the Funds aforesaid PROVIDED the amount of said Warrants do not exceed the sum of One hundred Pounds and if no part or only part thereof shall be Required for such Special Services Either the Whole or Residue shall Remain in the Treasury

AND BE IT FURTHER ENACTED by the authority aforesaid that the Treasurer shall keep exact Books of the several Payments which by this Act he is obliged to make and shall Render true and Distinct Accounts thereof upon Oath to his Honour the Lieutenant Governor or Commander in Chief for the time being to the Council or to the General Assembly when by them or any of them thereunto Required

#### [CHAPTER 1064.]

[Chapter 1064. of Van Schunck, and chapter 142 (vol. 2) of Livingston & Smith, where the title only is printed See chapter 1041. Expired January 1, 1759. Provided for by chapter 1083.]

An Act to Revive an act Entitled "An  
"Act for Regulating the Pilots and Establish-  
"ing their Pilotage between Sandy Hook and  
"the Port of New York and other Purposes  
"therein mentioned."

[Passed, June 3, 1738.]

WHEREAS an act Entitled "an act for Regulating the Pilots  
"and Establishing their Pilotage between Sandy Hook and the  
"Port of New York and other Purposes therein Mentioned" is  
Expired by its own Limitation and the Same having been found  
usefull

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same that the said Act Entitled "An act for Regulating the Pilots and Establishing their Pilotage between Sandy Hook and the Port of New York and other Places therein mentioned" shall be and hereby is Revived and every article matter and thing therein Contained Enacted to be of Force from the Publication hereof untill the first Day of January Next

### THE TWENTY-SEVENTH ASSEMBLY.

#### *Eleventh Session.*

[Begun Nov. 14, 1758, 32 George II, James De Lancey, Lieutenant Governor.]

#### [CHAPTER 1065.]

[Chapter 1065, of Van Schnack, where the title only is printed. Chapter 143 (vol. 2) of Livingston & Smith, where the act is printed in full. Continued by chapter 1090.]

'An Act further to Continue an act Entitled "An act for granting to his Majesty the several Duties and Impositions on goods Wares and Merchandizes imported into this Colony therein Mentioned."

[Passed, December 16, 1758.]

WHEREAS the Several Duties and Impositions on Goods Wares and Merchandizes imported into this Colony and granted for the support of his Majesties Government by the Above mentioned Act have by subsequent Acts been continued to the first Day of January Next And the General Assembly being willing to Make Provision for the further Support thereof

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That the above mentioned Act Entitled "An Act for granting to his Majesty the several Duties and Impositions on Goods Wares and Merchandizes Imported into this Colony therein Mentioned" shall be and hereby is Continued and every clause matter and thing therein Contained Enacted to be and remain IN Force to all Intents Constructions and Purposes whatsoever from the said first Day of January

next Untill the first Day of January which will be in the Year of our Lord One thousand seven hundred and Sixty.— both Days Inclusive.

[CHAPTER 1066.]

[Chapter 1066. of Van Schaack. and chapter 144 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act for the Payment of the Salaries of the several officers of the Government to the first Day of September One thousand Seven hundred and fifty nine and other Services therein mentioned.

[Passed, December 16, 1753.]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same that the Treasurer of this Colony Shall and he is hereby directed and Required Out of the Monies Arisen or which may Arise by Virtue of the three acts following VIZt: "An act for granting to his Majesty the Several Duties and "Impositions on Goods Wares and Merchandizes imported into "this Colony therein Mentioned" "An act for Emitting Bills of "Credit for the Payment of the Debts and for the better Sup- "port of the Government of this Colony and other Purposes "therein mentioned" And also "An act to Restrain Hawkers "and Pedlars within this Colony from Selling without Licence" to Pay the Several Sums of Money following VIZt

UNTO his Honour the Lieutenant Governor for administring the Government of this Colony from the first Day of September One thousand Seven hundred and fifty Eight to the first Day of September One thousand Seven hundred and fifty nine after the Rate of One thousand and Eight hundred Pounds per Annum

UNTO his Said Honour the Lieutenant Governor or Com- mander in Chief for the time being for Providing fire wood and Candles for his Majesties Garrison in the City of New York from and to the time Aforesaid the Sum of Four hundred pounds

UNTO his Said Honour the Lieutenant Governor for his Ex- traordinary Charges and Expences in going three times to Albany on the Publick Service in the Years One thousand seven hundred and fifty seven And One thousand seven hundred and fifty Eight the Sum of Three hundred Pounds.

UNTO the Second Justice of the Supreme Court of this Colony for his Service in that Station and for going the Circuits from and to the time aforesaid After the Rate of One hundred and Fifty pounds per annum And in Consideration of the additional Burthen of that office at Present the further sum of Fifty Pounds.

UNTO the third Justice of the Supreme Court of this Colony for his Service in that Station and for going the Circuits from and to the said time After the Rate of One hundred Pounds per annum And in Consideration of the additional Burthen of that office at Present the further Sum of Fifty Pounds.

UNTO the Secretary of this Colony for the time being for Engrossing and Enrolling the acts of the Governor Council and General Assembly from and to the said time after the Rate of Thirty Pounds per annum

UNTO the Clerk of the Council for the time being for his Service in that Station from and to the said time after the Rate of Thirty pounds per annum

UNTO the Doorkeeper of the Council for the time being for his service in that Station from and to the said time after the Rate of Twenty pounds per Annum

UNTO the Publick Printer of this Colony for his Service in that Station from and to the time aforesaid after the Rate of Fifty pounds per Annum.

UNTO the Gauger of Liquors Subject to Duties within this Colony for his Service in that Station from and to the said time After the Rate of Thirty Pounds per annum.

UNTO two Land and Tide Waiters for their Services in that Station from and to the Said time After the Rate of Thirty Pounds per annum each of them

UNTO the Trustees of the Corporation of Kingston in the County of Ulster for and towards Erecting three Blockhouses in the Town of Kingston in Such places as his Honour the Lieutenant Governor shall direct for the Protection & security of the said Town the sum of One hundred and Fifty Pounds.

UNTO Captain Robert McGinnis to Enable him to Pay his Debts Contracted by Reason of his losing an Arm in an Engagement with the Enemy near Fort William Henry when that Fortress was destroyed and himself taken Prisoner and Carried to France in the Year One thousand Seven hundred and Fifty seven the Sum of One hundred Pounds

UNTO John Wells of Dutchess County for Paying the Expence of Curing His Son Samuel Wells Sent up to Fort Edward

when Fort William Henry was destroyed by the Enemy and at the said Fort Edward by Reason of a False Alarm Shot through the Arm the Sum of Five pounds and fourteen Shillings

ALL which aforesaid Sums Shall be paid by the Treasurer in manner following, to wit, the Aforesaid Sums to His Honour the Lieutenant Governor for Expences of his Voyages to Albany To the Trustees of the Corporation of Kingston To Captain McGinnis and to John Wells by Warrant from the Governor or Commander in Chief for the time being by and with the advice and Consent of his Majesties Council And the other Sums Quarterly on Warrants drawn in manner aforesaid and the Receipts of the aforesaid Several Persons Endorsed on the Respective Warrants shall be to the Treasurer good Vouchers and Discharges for So much as Shall be thereby Acknowledged to be Received

AND be it Enacted by the authority aforesaid that the Treasurer Shall and is hereby directed and Required out of the Funds aforesaid to Pay the Several other allowances following to Wit

UNTO Abraham De Peyster Esquire Treasurer of this Colony for his Services in that Station from and to the time aforesaid after the Rate of Two hundred Pounds per annum And for the Extraordinary Service which he is now obliged to do and perform beyond the Usual Duty of his office after the Rate of the further Sum of One hundred Pounds per annum Which Said Several Sums or So much thereof as Shall be Really and Truly due shall be allowed to the Said Abraham De Peyster or to his Executors or Administrators as good discharges for So much in his or their Accompts

UNTO Robert Charles Esquire agent for this Colony in Great Britain as a Reward for his care trouble and diligence in attending upon His Majesty and his Ministers of State about the affairs of this Colony from and to the time aforesaid after the Rate of Two hundred pounds per annum which said Sum or So much thereof as shall be Really and truly due Shall be paid unto the Said ROBERT CHARLES or to his Executors or Administrators by an order of the General Assembly of this Colony Signed by the Speaker for the Time being and not Otherwise

UNTO Abraham Lott junior Clerk to the General Assembly for his Services in that Station from and to the time aforesaid Twelve Shillings per Diem On a Certificate from the General Assembly Signed by their Speaker for the number of Days he has Served or may serve the General Assembly



UNTO Alexander Lamb Doorkeeper to the General Assembly for his Services in that Station from and to the time aforesaid six Shillings per Diem on a Certificate from the General Assembly Signed by their Speaker for the number of Days he has Served or may serve the General Assembly. And

UNTO the said Alexander Lamb for Sundry Disbursements for the use of the General Assembly the further Sum of Ten Pounds.

AND be it further Enacted by the authority aforesaid that the Treasurer Shall and he is hereby directed to keep Exact Books of the Several Payments which he is directed to make by this Act and shall render true and distinct accounts thereof upon Oath to the Governor or Commander in Chief for the time being the Council or General Assembly when by them or any of them he shall be thereunto Required.

#### [CHAPTER 1067.]

[Chapter 1067. of Van Schoeck, and chapter 145 (vol. 2) of Livingston & Smith, where the title only is printed. Expired January 1, 1760.]

An Act to Regulate the Collecting the Duty of Excise on Strong Liquors retailed in this Colony from the first Day of January One thousand Seven hundred and Fifty nine to the first Day of January One thousand Seven hundred and Sixty.

[Passed, December 16, 1759]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same that Cornelius Clopper Junior shall be and hereby is appointed Commissioner for Collecting the duty of Excise, of and from the several Retailers of strong Liquors within the City and County of New York from the first day of January one Thousand seven Hundred and Fifty nine to the first day of January one Thousand seven Hundred and Sixty.

AND BE IT FURTHER ENACTED by the Authority aforesaid, That the said Commissioner shall, as soon after the publication of this Act as he shall Judge convenient, appoint the several Retailers within the said City, and direct and ascertain, what each Retailer shall pay for the said duty, from the first day of January one thousand seven Hundred and Fifty-nine, to

the first day of January one thousand seven Hundred and Sixty: always provided, That the whole sum to be laid on the several Retailers in the said City and County, shall be the full and intire sum of Nine Hundred and Fifty four pounds with the additional sum of one Hundred pounds for his Commissions, which is to be at the Rate of Five pounds per Cent, and for incidental Charges. For which said sum of one Hundred pounds he shall account on Oath: and if it exceeds his Commissions and incidental Charges the surplus thereof shall be applied in Ease of the next year's Excise; and the said sum of Nine Hundred and Fifty four pounds, shall, by the said Commissioner, be paid unto the Treasurer of this Colony, on or before the first day of January one thousand seven Hundred and Sixty

AND BE IT FURTHER ENACTED by the Authority aforesaid, That the several and respective persons hereafter named, shall be, and hereby are appointed Commissioners for Collecting the Duty of Excise, of and from the several and respective Retailers, within the several and respective Counties of this Colony and the Harbours, Bays, and Rivers respectively thereunto adjoining or belonging viz

For the City and County of Albany, the Mayor, Recorder and aldermen of the said City.

For Kings County, Abraham Bloom, Esquire.

For Queens County, Valentine Hulet Peters Esquire.

For Suffolk County, Richard Floyd, Hugh Gelston, and Samuel Langdon, Esquire's

For Westchester County Edward Stephenson Esquire

For Dutchess County James G. Livingston and Barnardus Filkin, Esquires.

For Ulster County Johannes J. Jansen.

For Orange County Vincent Matthews Esqr. and Johannes Boogert

And for Richmond County Jacob Reseau, Hezekiah Wright, and Joseph Beadell Esquires

AND BE IT ENACTED by the Authority aforesaid That the aforesaid several and Respective Commissioners, or the major part of them, respectively shall, as soon as they conveniently can, after the publication of this Act, meet at the County Halls of their several and respective Counties, or at such other place or places as they, the said Commissioners shall respectively appoint for putting in Execution the powers and Authorities given by this Act; at which Time, or at such other Time or

Times, as they shall Judge necessary the said Commissioners, or the major part of them respectively, shall, for their own Counties severally and respectively, fix the number, and appoint the several Retailers within their several and respective Counties, and direct and ascertain, what each Retailer shall pay for the said Duty of Excise, from the first day of January one Thousand seven Hundred and Fifty nine, to the first day of January one thousand seven Hundred and Sixty, always provided That the sum to be laid on the several Retailers in the City and County of Albany shall be the full and entire sum of one Hundred and Twenty seven Pounds, with the sum of Thirteen Pounds in Addition thereto, for the Charges of managing the same

ON the several Retailers in Kings County, the full and entire sum of Forty Pounds with the sum of Five Pounds in addition thereto, for the Charges of managing the same

ON the several Retailers in Queen's County the full and entire sum of one Hundred and Twenty five Pounds with the sum of Ten Pounds in addition thereto, for the Charges of managing the same

ON the several Retailers in Suffolk County the full and entire sum of Sixty Pounds with the sum of nine Pounds in addition thereto, for the Charges of managing the same

ON the several Retailers in Westchester County the full and entire sum of Seventy Pounds with the sum of Ten Pounds in addition thereto, for the Charges of managing the same

ON the several Retailers in Dutchess County the full and entire sum of Forty two Pounds, with the sum of Eight Pounds in addition thereto for the Charges of managing the same

ON the several Retailers in Ulster County the full and entire sum of Thirty eight Pounds with the sum of Eight Pounds in addition thereto, for the Charges of managing the same

ON the several Retailers in Orange County the full and entire sum of Nineteen Pounds, with the sum of three Pounds in addition thereto, for the Charges of managing the same

AND on the several Retailers in Richmond County the full and entire sum of Twenty Five Pounds with the sum of thirty shillings in addition thereto for the Charges of managing the same

AND BE IT FURTHER ENACTED by the Authority aforesaid That the aforesaid several and respective Commissioners, shall, before they enter on the Execution of the powers and Authorities given by this act, enter into Recognizances unto

our sovereign Lord the King, his Heirs and Successors before any Judge of the Supreme Court or of the inferiour Courts, in the following sums, That is to say

The said Cornelius Clopper Junior, in the penal sum of one Thousand Nine Hundred and Eight Pounds

The said Valentine Hulet Peters, in the penal sum of Two Hundred and Fifty Pounds

The said Abraham Bloom, in the penal sum of Eighty Pounds

The said Richard Floyd Hugh Geltson and Samuel Langdon in the penal sum of one Hundred and Twenty Pounds

The said Edward Stephenson in the penal sum of one Hundred and Forty Pounds

The said James G. Livingston, and Barnardus Filkin in the penal sum of Eighty four Pounds

The said Johannes J. Jansen, in the penal sum of seventy six pounds

The said Vincent Matthews Esqr. and Johannes Boogert, in the penal sum of Thirty Eight Pounds

The said Jacob Reseau Hezekiah Wright, and Joseph Beadell in the penal sum of Fifty Pounds

CONDITIONED That they shall well and truly pay to the Treasurer of this Colony on or before the first day of January which will be in the year of our Lord one Thousand seven Hundred and Sixty, the several and respective sums to be laid in Manner aforesaid on the several and respective Retailers, within their several and respective Counties exclusive of the several and respective sums by this act allowed for the Charges of Management

AND BE IT FURTHER ENACTED by the Authority aforesaid That the aforesaid several and Respective Retailers shall pay the aforesaid several and respective sums laid on or to be laid on them unto the aforesaid several and respective Commissioners, on or before the first day of December one Thousand seven Hundred and Fifty nine, For securing which payment the said Commissioners shall respectively oblige the said several and respective Retailers to give such security as they the said Commissioners shall Judge necessary, Always provided That such Retailers in the City of New York as shall be rated Three Pounds, and under, and such in the several Counties, as shall be rated at Thirty shillings and under shall not be permitted or have any Liberty to retail unless they immediately pay the several and respective sums they shall be rated at, to the aforesaid

Commissioners, any Thing herein before contained to the Contrary notwithstanding

AND BE IT FURTHER ENACTED by the Authority aforesaid That in Case any person or Persons whatsoever other than such as the said Commissioners shall permit shall presume to sell any strong Liquors by Retail, directly or indirectly, he, she, or they so offending shall for each such offence, forfeit the sum of six pounds to be recovered by the said Commissioner or Commissioners respectively on the Oath of any one creditable Witness in a summary Way, in the Cities of New York and Albany before the Mayor or Recorder, and one or more Aldermen of the said Cities respectively; and in the several Counties, before any Justice of the peace within the said Counties respectively, And if upon Conviction the said forfeiture, be not paid the same shall be levied on the Goods and Chattles of the offender or offenders, by warrants under the Hands and seals of the persons before whom such Conviction shall happen, and if no goods or Chattles are found on which to distrain, it shall be lawfull to the persons, who heard and determined the Cause, to commit the offender or offenders to Goal, without Ball or Mainprize, for the space of Three Months unless the said penalties are sooner discharged, And the said respective Magistrates shall be, and hereby are fully impowered directed and required to hear and determine those Matters, in the Manner aforesaid and to give Judgment; and if need be, to award Execution thereon and to issue a Warrant or Warrants for the commitment of offenders as the case may require, one third of which forfeitures shall be to the Informer or Informers one Third to the said Commissioners and one Third to the poor of the Town, Manor, or Precinct where the offence shall be committed to be paid into the Hands of the Church Wardens, or overseers of the poor of the said respective place or places by the Officer or Officers by whom the same shall be levied; any Thing in any of the Acts of this Colony to the Contrary notwithstanding

AND BE IT FURTHER ENACTED by the Authority aforesaid That the several Retailers who shall be permitted and allowed to Retail by the said Commissioner or Commissioners, shall, before they do so retail any strong Liquor, enter into Recognizances; that is to say, In the Cities of New York and Albany before the respective Mayors thereof, and in the several Counties of this Colony, before Two Justices of the peace, in the



penal sum of Twenty pounds with sufficient sureties in the like sum. Conditioned to keep an orderly House according to Law, during the Time they shall be permitted to retail, as aforesaid, And thereupon the said respective Mayors, or the said Justices shall grant to the person or persons who have entered into such Recognizance a Licence under his or their Hands and seals to retail strong Liquors in such House and place as shall be mentioned therein during the Continuance of this Act. Which Recognizances are to be lodged by the person or persons before whom the same shall be taken, viz. in the Cities of New York and Albany, with the Town Clerk, and in the several Counties with the respective Clerks thereof, and upon Complaint of the Breach of the said Condition, it shall be lawful for the said Mayors, and Aldermen of New York and Albany or the greater Number of them; and in the Counties, for the Justices of the general or special Sessions of the peace, to Suppress the Licence or Licences of such offender or offenders.

AND BE IT FURTHER ENACTED by the Authority aforesaid That in case any of the persons who shall be permitted to retail strong Liquors as aforesaid, by the said Commissioner or Commissioners, shall presume to retail before he she, or they have obtained a Licence and entered into Recognizances to keep an orderly House as aforesaid, he, she, or they so offending shall respectively forfeit the sum of Six pounds for each offence to be recovered in a summary way in the manner before directed, one half thereof to the Informer or Informers and the other half to the poor of the Town, Manor or precinct where the forfeiture shall arise.

And that the Expence of being qualified to retail may be within the Bounds of Moderation BE IT ENACTED by the Authority aforesaid that no more shall be taken for a Licence and Recognizance in the Cities of New York and Albany than the usual and accustomed Fees; and in the respective Counties than the sum of three shillings

AND BE IT FURTHER ENACTED by the Authority aforesaid That such persons permitted to retail as aforesaid by the said Commissioner or Commissioners, who retail strong Liquors not to be drank in their own Houses, but carried elsewhere, shall not be obliged to enter into Recognizances, and take Licences as aforesaid; any thing contained in this Act to the contrary notwithstanding

AND BE IT ENACTED by the Authority aforesaid That in case all the several sums for which the Excise shall be let in the several and respective Cities and Counties of this Colony shall fall short of the sums herein before rated on the said several and respective Cities and Counties with the aforesaid incidental Charges of letting and Collecting the same then the Commissioner or Commissioners aforesaid, where such Deficiencies shall happen shall be and are hereby empowered to call the Retailers before them, and assess and rate such sum and sums upon them as shall be sufficient to make up such Deficiency; which said additional sums, shall be Collected and paid in the same Manner with the several and respective sums first laid.

AND BE IT FURTHER ENACTED by the Authority aforesaid That in case of the Death of any of the aforesaid respective Commissioners, the surviving Commissioner or Commissioners where such Death may happen shall be and hereby is, and are entitled to the whole Reward, and vested with the same powers and Authorities to execute this Act, as if no such Death had happened and in Case of the Death of all the Commissioners of any of the respective Cities or Counties then the Sheriff or Sheriffs, for the Time being, of the Cities County or Counties where such Death may Happen shall be and hereby is, and are vested with all the powers and Authorities given to the Commissioners by this Act, be under the same Regulations, and intitled to the same reward, to all Intents, and Constructions and purpose whatsoever, as if they had been particularly named and appointed in this Act, any Thing in this act to the Contrary notwithstanding

AND BE IT FURTHER ENACTED by the Authority aforesaid That all the Monies to be paid to the Treasurer of this Colony, by Virtue of this act, shall be employed for and towards cancelling the bills of Credit struck and emitted upon the said Duty of Excise, at the Times and in the Manner directed in and by an act, entitled an act, for the more effectual cancelling the Bills of Credit of this Colony, passed in the Twenty first year of his Majesty's Reign, and to and for no other Use or Purpose Whatsoever.

AND BE IT FURTHER ENACTED That the Retailers in the City of New York shall pay the Excise in three several payments, or sooner as the Commissioner and they shall agree provided always That nothing in this act shall be Construed to make void, abridge, or in any wise lessen the several Rights and privi-

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leges granted unto the Cities of New York and Albany by their respective Charters, any Thing contained in this act, to the Contrary thereof in any wise notwithstanding

AND BE IT FURTHER ENACTED by the Authority aforesaid That the Treasurer of this Colony shall be and hereby is directed and required within Three Months after the publication of this act, to put in suit the Recognizances of all such persons who are in Arrear on Account of the Excise farmed by former Acts of this Colony, first giving two Months Notice of this Direction, by advertisements to be inserted in all the publick Newspapers in this Colony, and where no Recognizances are to be found, the Treasurer shall be and hereby is enabled, empowered, and Authorized, to bring suits in his own Name against all and every such person and persons who shall appear to be in arrear on account of the said Excise, or against their Heirs, executors or Administrators, and all the money recovered in Consequence of such suit or suits shall be applied to the sinking and cancelling the Bills of Credit emitted on the Credit of the Duty of Excise, at the Times, and in Manner herein before directed, and in case the Treasurer shall neglect or omit to bring or Cause such suits to be brought within the Time limited by this Act, all such sum or sums of money, so, in arrear on the Duty of Excise, Which he shall so neglect or omit to sue for or Cause to be sued for, shall be deemed Assets in his Hands and he shall be Charged therewith, as having actually received the same.

### **[CHAPTER 1068.]**

[Chapter 1068, of Van Schanck, and chapter 146 (vol. 2) of Livingston & Smith, where the title only is printed. See chapter 1019. Expired January 1, 1769.]

An Act further to continue An Act Entitled "An Act for Erecting and Establishing a "Stamp office in this Colony for Stamping "all Vellum Parchment and Paper charged "with the several Duties therein Mentioned "with an addition thereto.

[Passed, December 16, 1755.]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same that the above mentioned act

Entitled "An act for Erecting and Establishing a Stamp office "in this Colony for stamping all Vellum Parchment and Paper "charged with the several duties therein Mentioned" passed in the Thirtieth year of his Majesties Reign shall be and hereby is further Continued, And Every Clause article and matter therein Contained Enacted to be and Remain of full force and Virtue to all Intents Constructions and Purposes Whatsoever from the first Day of January next untill the first Day of January which will be in the Year of Our Lord One thousand Seven hundred and Sixty

AND WHEREAS it has some times happened that Persons thro' Inadvertency and without Intending any Fraud to the Government have Writ and Executed Instruments or Suffered the same to be Executed to them on Paper or Parchment charged with the aforesaid Duties not Stamped according to the Directions of the before-mentioned act

BE IT ENACTED by the authority aforesaid that In all Cases where it has so happened or where it may hereafter happen that any Person or Persons thro' Inadvertency and without intending any fraud to the Government have or Shall Write or Cause to be Written on Paper or Parchment any Instrument or Instruments Chargeable with any of the before mentioned Duties and execute the same or Suffer them to be Executed unto them, before the same be duly Stamped and the Duty Paid according to the directions of the said Act; If such Person or Persons Shall or do come to the Managers Appointed in and by the said Act and make affidavit before them or one of them, who are hereby empowered to take the same, that the said Instruments were Written and Executed thro' Inadvertency & without Intending any Fraud to the Government and Shall then Pay the Duty Charged on the said Respective Instrument or Instruments the said Managers Shall be and hereb are empowered and Required to Stamp the said Instrument or Instruments with the Stamp Proper to the same and the said Person or Persons so making affidavit as aforesaid shall be Exempt from any Penalty or Penalties laid by the aforesaid Act for writing or Causing to be Writt on Paper or Parchment unstamped such Instrument or Instruments, and Executing or Suffering the same to be Executed unto them any thing in the aforesaid Act to the Contrary Notwithstanding

## [CHAPTER 1069.]

[Chapter 1060, of Van Schaack, and chapter 147 (vol. 2) of Livingston & Smith, where the title only is printed. See chapter 1060. Van Schaack and Livingston & Smith, state that this act continued the excise act until January 1, 1780, but that Mr. Lynsen, the manager, dying before that time, a new act was passed with similar provisions, which is chapter 1063.]

An Act further to continue an act Entitled "an act for laying an Excise upon all Tea of foreign growth Retailled within this Colony" with additions thereto.

[Passed, December 16, 1765.]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That one act Passed in the Thirtieth year of his Majesties Reign Entitled "AN ACT for laying an Excise upon all Tea of foreign growth retailled within this Colony" and by a Subsequent Act Continued to the first Day of January Next shall be and hereby is further Continued and every Clause matter and thing therein Contained Enacted to be and Remain of Force to all Intents Constructions & purposes whatsoever until the first Day of January which will be in the Year of our Lord One thousand seven hundred and Sixty.

AND WHEREAS It is provided and Enacted in and by the aforesaid Act that the Severall & Respective Retailers of Tea shall keep an Exact Account of all the Tea Retailled by them and the same Produce to the Respective Managers attesting thereto in manner directed by the said Act Which Provision being found Inconvenient by Reason of the distance many retailers live from the Managers for Remedy whereof.

BE IT FURTHER ENACTED by the authority aforesaid that it Shall and may be Lawfull for the Severall and Respective Retailers of Tea during the Continuance of this Act to attest their accounts before one of the Judges of the Court of Common pleas within any of the Respective Counties of this Colony where Such Retailers dwell and Reside Which accounts so attested shall be Received and allowed by the Aforesaid managers, any thing in the first mentioned act to the Contrary notwithstanding.



AND BE IT FURTHER ENACTED by the authority aforesaid that every Person and Persons whomsoever who after the first day of January next shall Sell any Part of a Chest Box Tub Bag or other Package of Tea Shall be and hereby is and are declared to be a Retailer or Retailers of such Tea Altho' the Quantity Sold should be one Hundred pounds Weight or Upwards and Shall be and hereby are made liable to Pay the Duty laid by the aforesaid act for the same The Managers or Collectors appointed to Collect the said Duty being to allow Such Person or Persons so selling such Tea as aforesaid five per Cent for loss of Weight to be computed from the Weight Specified in the Original Invoice of such Chest Box Tub Bag or other Package as aforesaid and the said Person or Persons so Selling such Tea as Aforesaid shall be and hereby is and are made liable and Subject to all Such Penalties and Forfeitures laid in the aforesaid Act As Persons Selling such Tea under the Quantity of One hundred Pounds Weight are Subject and liable to for not Complying with the Directions and Provisions in the said act Mentioned any thing in the said act to the Contrary notwithstanding

[CHAPTER 1070.]

[Chapter 1070, of Van Schnack, where the title only is printed. Chapter 248 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 1043. Continued by chapter 1002.]

An Act further to Continue an Act Entitled an act for Regulating the Militia of the Colony of New York, together with the two Acts therein Mentioned respecting the Regulating the Militia of New York with an Addition thereto.

[Passed, December 10, 1766.]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same that the Act aforesaid Entitled "An act for regulating the Militia of the Colony of New York" Passed in the Twenty Eighth Year of his Majesties Reign, and likewise one other act Entitled "An act to Continue an act Entitled an act for Regulating the Militia of the Colony of New York with some Additions thereto" Passed in the Twenty Ninth Year of his Majesties Reign, and also one other act Entitled "an act to amend an act Entitled an act for Regulating

"the Militia of the Colony of New York" Passed in the Thirtieth Year of his Majesties Reign, Shall be and hereby are Continued, and every Clause Article matter and thing in the said three acts Contained Enacted to be and remain in full force and Virtue to all Intents Constructions and Purposes whatsoever from the first day of January which will be in the Year of our Lord One thousand seven hundred and Fifty nine untill the first day of January One thousand seven hundred and Sixty.

AND WHEREAS In the Counties of Ulster & Orange there are Several places inhabited which lie at a great distance from the Respective Colonels or Commanding officers of the Regiment in the said County's & Consequently the waiting for their orders would much expose Such Places to the Ravages of Small Parties of the Enemy. BE IT THEREFORE ENACTED by the authority aforesaid that the Captains or next Commanding officers of the SEVERAL and Respective Companies within the Respective Counties aforesaid Nearest to any such Place as shall be Invaded Shall immediately call together his or their Company or Companies and forthwith March them towards and use their utmost Endeavours to Repell and drive off the Enemy and on the first Notice of Such Invasion shall dispatch an Express to the Commanding officer of one of the Respective Regiments of the said Counties with Intelligence thereof and of the number and motions of the Enemy according to the best Information he or they shall have Obtained Any thing in any of the said Acts to the Contrary Notwithstanding

#### [CHAPTER 1071.]

[Chapter 1071 of Van Schoeck, where the title only is printed Chapter 149 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 1052. Continued by chapter 1094.]

An Act farther to Continue an act Entitled "an act for Billeting and Quartering his Majesties Forces within this Colony"

[Passed, December 10, 1758.]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That one Act Entitled "An act for Billeting and Quartering his Majesties Forces within this Colony" Passed in the Thirtieth year of his Majesties Reign (which will Expire on the first Day of January Next) shall be

and hereby is Continued and every Clause matter and thing therein Contained Enacted to be and Remain of Force to all Intents Constructions and Purposes whatsoever Untill the first Day of January One thousand seven hundred and Sixty.

[CHAPTER 1072.]

[Chapter 1072, of Van Schaack, where the title only is printed. Chapter 150 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 1042. Continued by chapter 1007.]

An Act to Revive an act Entitled "an act  
"for the better apprehending & securing De-  
"serters from his Majesties Forces in North  
"America" with additions thereto.

[Passed, December 16, 1753.]

WHEREAS an Act Entitled "an act for the better apprehending and securing Deserters from his Majesties Forces in "North America" made and Passed in the Thirtieth Year of his Present Majesties Reign Expired on the first Day of January last and it appearing necessary Particularly at this Critical and Extraordinary Conjunction that the same be Revived

BE IT THEREFORE Enacted by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same that the aforesaid act Entitled "an act for the better apprehending and securing Deserters from his Majesties Forces in North America" shall be and is hereby Revived and every article matter and Clause therein Contained Enacted to be in full force to all Intents Constructions and Purposes whatsoever from the Publication hereof untill the first Day of January Which will be in the Year of Our Lord One thousand seven hundred and Sixty

AND BE IT FURTHER Enacted by the authority aforesaid that if any Captain of a private Vessell of War, or master of any Trading Vessell, shall, during the Continuance of this act, take on Board and Carry off, or Transport out of this Colony, any such Deserter or Deserters, as are meant and intended by the aforesaid act, to be apprehended, seized, and taken up; the said Person or Persons So offending, shall, for each Deserter he or they shall So carry off, forfeit and Pay the sum of Fifty Pounds: And every Boatman Ferry man, or other Person or Persons Whomsoever, Who shall carry over any River, Creek, Bay, or Ferry within this Colony, or out of this into any other

Colony, any Such Deserter or Deserters, the Person or Persons so offending, shall, for each Such Deserter So Carried over Forfeit the sum of Ten Pounds. The aforesaid Respective forfeitures, to be sued for, and Recovered in any Court of Record within this Colony, By any Person or Persons who Shall Sue for the same, and applied to his, her, or their own use.

AND BE IT ENACTED that this act and the act first above mentioned, Shall be, and hereby are Extended, and Shall be Construed to Extend, to the Forces in the Pay of this Colony.

[CHAPTER 1073.]

[Chapter 1073, of Van Schnack, and chapter 151 (vol 2) of Livingston & Smith, where the title only is printed. Expired January 1, 1800. Provided for by chapter 1009.]

An Act to empower Justices of the Peace to Try Causes to the Value of Five Pounds and under.

[Passed, December 16, 1784]

BE IT ENACTED by His Honour the Lieutenant Governor the Council and the General Assembly And it is hereby Enacted by the Authority of the same That all Actions Cases and Causes of Debt Trespass and Replevin wherein the sum or thing demanded for cause of Action shall not exceed the sum of FIVE POUNDS (except Such Actions as are hereby Excepted) shall after the Publication of this Act be and hereby are made Cognizable before any one Justice of the Peace of any of the County's within this Colony and the said Justices are hereby Respectively Impowered and Required upon application to Either of them Made for the recovery of any Such Debt or Demand to Issue a summons or Warrant as the Case may require directed to the Constables or to any one of them of the Town Manor or Precinct where the Defendant dwells or can be found commanding him to bring or cause such Defendant to come with the Plaintiff or his Attorney before him at the time and in the manner following that is to Say: In case where such Process shall be in the Nature of A Capias forthwith after the Service thereof but where the summons shall be Issued then on some certain day therein to be Expressed not less than six nor exceeding twelve Days from the Service of Such Summons and at the time appointed for hearing such Cause or on such other Day as such Justice shall think Reasonable to appoint not exceeding Six Days the said

Justice shall proceed to hear and Examine the Allegations and Evidences of the Plaintiff and Defendant and within Twelve days after give his Judgment thereupon in Such manner as shall Appear to him agreeable to Equity and Justice together with such Costs as are hereinafter Allowed.

AND BE IT ENACTED by the authority aforesaid That the Process against all Freeholders and Inhabitants having Familys shall be by summons only which Shall be signed by the Justice that shall Grant it and served on the Person of the Defendant or a Copy thereof left at his or her House or place of abode in the Presence of some of the Family of suitable Age and discretion (who shall be informed of the Contents thereof —) at least six days before the time appointed for hearing and in case the Defendant doth not appear at the time and place that shall be appointed in such Summons then on Oath or Affirmation made by the Constable that the said summons was duly served in the Manner aforesaid and No Sufficient Reason appearing to the said Justice Why the said Defendant did not appear on the day appointed in the said Summons the said Justice shall Issue his Warrant and proceed in the same Manner as above is directed —

PROVIDED ALWAYS and be it Enacted by the authority Aforesaid that if any such Plaintiff so applying shall upon Oath or Affirmation declare that he or she does Sincerely believe that if such Process be only by summons Against such Freeholder or Inhabitant having a Family he or she will be in danger of Losing the Debt or Demand thereby or that he or she doth really and Sincerely believe that such Freeholder or Inhabitant will depart the City or County or otherwise abscond before such time Then the said Justice shall Issue out his Warrant in such manner as if the Defendant had not been a Freeholder or Inhabitant having a Family And if any Defendant Shall require a longer time than is first appointed by the said Justice and will if required give Sufficient Security to appear and Stand Tryal on such other Day as shall be appointed Then the said Justice is hereby Impowered and Required to adjourn the Tryal of such Cause to any Day he shall think most Convenient not exceeding twelve Days nor less than three from that time unless the Justice and Parties shall otherwise Consent and agree

AND BE IT FURTHER ENACTED by the authority aforesaid that in every Action that shall hereafter be brought in this Colony by Virtue of this Act it shall and may be Lawfull for either of the Parties to the suit to demand of the said Justice



that Such Action be tryed by a Jury And upon such Demand the said Justice is hereby required and commanded to issue a Warrant to the Constables or Constable of the Town Manor or Precinct where the same may happen Commanding him or them to bring or cause to come at Such certain time and place as shall be in the Warrant Expressed six good and lawfull men of the Countys respectively being Freeholders who appearing the said Justice shall administer to Each of them an Oath in the Words following VIZT: You shall well and truly try this matter in difference between A. E. Plaintiff and C. D. Defendant and a true Verdict shall give according to Evidence SO HELP YOU GOD and after the six Persons have taken the Oath aforesaid they shall sit together and hear the several Proofs and Allegations of the parties which shall be delivered in Publick in their Presence after which they shall be kept together in some convenient Private place untill they all agree upon a Verdict which shall be given in to the said Justice who is hereby Required to give Judgment Agreeable to Such Verdict and to award Execution in the Manner herein after directed The Costs of the Jury to be paid with the other Costs by the Party against whom their Verdict shall be found.

AND BE IT ENACTED by the authority aforesaid that if the Plaintiff in any such Suit or Action shall be non suited or discontinue or Withdraw his Suit without the leave of the Defendant then Judgment shall be given against him for the Costs accrued or if he shall appear to be Indebted to the Defendant then Judgment shall be given against him for the said Debt or Demand and Costs as the Case may require, and WHENEVER Judgment shall be given against Either Plaintiff or Defendant in any of the before mentioned Cases the Justice that Pronounced the said Judgment shall grant Execution thereupon directed to one of the Constables of the said Town Manor or Precinct Commanding him to levy the Debt or Demand and Cost on the Goods and Chattles of the Person against whom such Execution shall be granted And for want of sufficient effects whereon to levy the Execution to take the Body of the Person against whom such Execution shall be Granted and him or her Convey and deliver to the Keeper of the Common Goal of the County Which Said Constable after his taking such Goods and Chattles into his Custody (by Virtue of such Execution) shall give Publick notice by an Advertisement put up at the most Publick place of the Town Manor or Precinct where

such Goods Shall be taken of the sorts of the Goods and the time and place where and When they shall be exposed to Sale at least five Days before the Time appointed for selling them and at the time and place so appointed for selling them shall expose them to sale by Publick Vendue to the Highest bidder and Pay the money according as shall be directed in the Warrant or Writ of Execution and return the Overplus if any be to the Owner and for want of sufficient Goods and Chattles Whereon to levy the Execution the Constable to whom any such Execution shall be directed shall according to the Tenor of the said Execution take the Body of the Person against whom any such Execution shall be granted And Convey and deliver him or her unto the Keeper of the common Goal, of that County Which said Goal Keeper is hereby Commanded to Keep such Prisoner in his safe Custody in the Common Goal untill the Debt or Demand with the Costs shall be fully paid or untill he or she shall be from thence delivered by due course of Law PROVIDED NEVERTHELESS that No Execution of any Judgment given by Virtue of this Act shall issue against any Freeholder in less than One or delayed longer than two months after giving the said Judgment unless the Party in whose favour such Judgment shall be given shall Make it appear to the said Justice On Oath or affirmation that he or she is in danger of losing their Debt or Demand if Such delay be allowed In which case the Justice shall Issue his Warrant of Execution immediately as herein before Directed Unless the Party against whom such Judgment shall be given shall thereupon give security to the Party in whose favour Judgment Went to Pay the full of the Debt or Demand and Costs at or before the Expiration of One month.

AND BE IT FURTHER ENACTED by the authority aforesaid that if any Person or Persons Whatsoever shall Commence sue or Prosecute any suit or suits for any Debt or Demand made Cognizable as aforesaid in any other manner than is directed by this Act and shall obtain a Verdict or Judgment thereon for Debt or Damages which without Costs of Suit shall not amount to more than Five Pounds money aforesaid (not having Caused an oath or affirmation to be made before the obtaining a Writ and filed the same in the Clerks office) that he she or they so making oath or affirmation did truly believe the Debt due or DAMAGES sustained exceeded the sum of Five Pounds Money aforesaid he she or they so Prosecuting shall not Recover nor

have any Costs in Such suit Any Law Usage or Custom to the Contrary in any wise Notwithstanding PROVIDED ALWAYS that neither this Act nor any thing herein contained shall be deemed Construed or understood to extend to Such Actions wherein his Majesty his Heirs or successors may be concerned or where the Titles of Land shall any wise come in Question PROVIDED ALSO that nothing in this act shall Extend to matters of account where the sum Total of such account shall exceed in the amount or Value thereof the sum of Twenty Pounds And that no Justice of the Peace being a Tavern Keeper shall try any Cause by Virtue of this Act at his own House any thing herein Contained to the Contrary Notwithstanding.

AND BE IT ENACTED by the authority aforesaid That no greater or other Fees shall be allowed Taxed or taken in actions brought in the manner by this act directed than is in this act appointed to be taken (VIZt.) JUSTICES FEES a summons nine pence a Warrant one shilling and six pence A Judgment one shilling Administring every Oath or attestation six Pence A summons for Evidence Six Pence Every Execution One shilling and six pence Issuing the Venire Facias to Summons a Jury one shilling Swearing the Jury one shilling and Six Pence EVIDENCES attending on summons or otherwise Two Shillings per Day and So in Proportion, for a longer or shorter time CONSTABLE for serving every Warrant or summons for One Miles Riding or under One shilling Every Mile more six Pence serving every Execution for each Pound two shillings summoning Every Jury three shillings JURIES for all Causes Tried one shilling per Man All causes when summoned and the Cause not Tried six pence per man PROVIDED that the whole Costs to be Recovered or allowed in any one Cause or action shall Not Exceed the sum of Forty Shillings AND PROVIDED that nothing herein Contained shall extend to oblige such Justices of the Peace within this Colony as are members of his Majesties Council to take Cognizance of any such Causes Matters or things as are by this act provided for but that they shall be at liberty at all times to act therein or not as to them shall seem fitting any thing herein Contained to the Contrary notwithstanding.

Provided always that nothing in this act contained shall extend or be construed to extend to abridge alter or lessen the Powers Rights and Priviledges and Method of Proceedings of the Mayors Recorders and Aldermen of the Cities of New York Albany and the Borough of Westchester or any of them which

they or any of them were entitled to before the making thereof; any thing herein to the Contrary Notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that this Act shall be of force from the Publication hereof until the first day of January which shall be in the year of our Lord One Thousand seven hundred and sixty.

[CHAPTER 1074.]

[Chapter 1074. of Van Schaack, where the title only is printed. Chapter 152 (vol. 2) of Livingston & Smith, where the act is printed in full. Continued by chapter 1190.]

An Act further to continue the Currency, of the Bills of Credit Emitted by virtue of an act Entitled "an Act for Emitting Bills of Credit for the Payment of the Debts and for the better Support of the Government of this Colony and other Purposes therein Mentioned"

[Passed, December 16, 1758.]

WHEREAS an act Entitled "An act for Emitting Bills of Credit for the Payment of the Debts and for the better Support of the Government of this Colony and other Purposes therein Mentioned" Passed in the Eleventh Year of his Majesties Reign has by several Subsequent Acts been Prolonged and Continued untill the third Tuesday in April Which will be in the Year of Our Lord One thousand Seven hundred and fifty nine AND WHEREAS the Circumstances of the Colony still require the aid of the Interest Money arising on the Bills of Credit Issued by the Act first aforesaid for Supporting the Government thereof.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governour the Council and the General Assembly and it is hereby Enacted by the authority of the same that the Time for which the said Interest Money Stands appropriated for the support of the Government of this Colony by the last Subsequent Act aforesaid Entitled "An Act further to continue the Currency of the Bills of Credit Emitted by virtue of an act Entitled an act for Emitting Bills of Credit for the Payment of the Debts and for the better Support of the Government of this Colony and other Purposes therein Mentioned" shall be and hereby is deferred, removed and further Prolonged untill the Third Tuesday in the Month of April which will be in the

Year of our Lord One thousand Seven Hundred and Sixty Any thing in any of the aforesaid acts to the Contrary Notwithstanding And that at the time last mentioned One fourth part of the said Bills of Credit and the remainder thereof in the next three Succeeding Years Shall be paid in Cancelled and Destroyed at the times and in the manner directed in and by an act Entituled "An act for the more effectual Cancelling "the Bills of Credit of this Colony" Passed in the Twenty first Year of his Majesties Reign And that as well the said first mentioned Act AS one other Act Entitled "An Act to facilitate "and explain the Duty of the Loan officers in this Colony" Passed the Said Eleventh Year of his Majesties Reign and every the Clauses Articles matters and things in them contained shall be and hereby are Enacted to Continue and remain of Full force and Virtue to all Intents Constructions and Purposes whatsoever untill the third Tuesday in April Which will be in the Year of our Lord One thousand seven hundred and Sixty three any thing in the said Acts to the Contrary Notwithstanding

AND be it further Enacted by the authority Aforesaid that the said Bills during the time they are hereby Enacted to Remain Current shall continue to be Put out at Interest in the same manner and Method as in the said first mentioned Act is directed and that all the Interest money which may arise on them during that time Shall from time to time be imployed to and for the Support of the Government of this Colony in Such manner as Shall by act or acts hereafter to be passed for that purpose be ordered and directed and not otherwise except so much thereof as may be Necessary for Sinking and Cancelling the sum of Eight thousand and fifty nine Pounds fourteen Shillings and Eleven pence Emittid in Bills of Credit by Virtue of the act first aforesaid for Paying the Debts then due from this Colony

AND be it further Enacted by the authority aforesaid that the Loan officers of the several Cities and Counties within this Colony for the time being shall be and hereby are fully authorized and impowered to alter the form of all Such Mortgages as shall by them or any of them hereafter be taken in any of their offices in Relation to the time and times of Payment in such manner as to Make the same answerable to the true intent and meaning of this act any thing in any the aforesaid Acts to the Contrary Notwithstanding



AND be it further Enacted by the authority aforesaid that Whensoever the Loan officers of the Several Cities and Counties within this Colony shall from the INFORMATION of any one of the supervisors in the Respective Counties of this Colony or from the Information of the Justices and Vestrymen of the City of New York or the Major Part of them have Sufficient Reason to Suspect the Insufficiency of any of the securities taken or to be taken for any sums of Money lent or to be lent out of any of their several offices either as to the Value or Title of the said Securities they the said Loan-officers shall be and hereby are impowered and Required to Demand Payment of the Principal sums notwithstanding the due Payment of the Interest thereof or further sufficient Security and upon failure of due Payment of such Principall sums or refusing or Neglecting to give further Sufficient Security within Fourteen Days after such demand made to Proceed to the sale of the Mortgaged Lands or to such other Remedy as is given by the first aforesaid Act According to the nature of the Case and therein to Pursue the Rules and directions Prescribed in and by the said Act Any thing therein contained to the Contrary Notwithstanding

AND be it further Enacted by the authority aforesaid that If any of the Persons who become Securities for the Loan officers Pursuant to the first aforesaid act shall be desirous of being discharged from continuing longer under their said Engagements they shall give notice thereof in writing to the supervisors of the Respective Counties or to the Mayor and Aldermen of the Respective Cities where they stand Engaged between the first Tuesday of February and the first Tuesday of March in the Year One thousand seven hundred and Fifty nine and the said Supervisors or Mayor and Aldermen Respectively shall immediately thereafter give notice in Writing to the Respective Loan officers whose Sureties so desire to be discharged that he or they do by the first Tuesday in April then next following provide and give New Surety and in Case any of the said Loan officers so notified as aforesaid Shall fail in giving new surety to the satisfaction of the said Supervisors or Mayor and Aldermen Respectively by the said Day then the said Supervisors or Mayor and Aldermen Respectively Shall proceed to the Choice of a new Loan officer or Loan officers in the Room and Stead of such So failing and in their Proceeding thereon shall Pursue the Directions of the first AFORESAID Act with Respect to the

Choice of New Loan officers in the several Cases therein mentioned Any thing in this or the Aforesaid Acts to the Contrary Notwithstanding

[CHAPTER 1075.]

[Chapter 1075. of Van Schaack, and chapter 153, of Livingston & Smith, where the act is printed in full. Amended and the penalty increased by chapter 1396. Penalty mitigated in Suffolk and Queens counties by chapter 1410.]

An Act more Effectually to Prevent the Killing of Deer, and firing the Woods within this Colony

[Passed, December 10, 1758]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That if any Person or Persons after the Publication of this act Shall Kill or destroy any Wild Buck Doe or Fawn or any other Sort of Deer whatsoever at any time in the months of January February March April May or June every such Person shall for every such offense forfeit the sum of Three Pounds for every such Buck Doe Fawn or other Deer so killed or destroyed as aforesaid, contrary to the true intent and meaning of this act The one half whereof shall be to him or her who shall inform and Sue for the same before any one Justice of the Peace in Such County where the offence shall be Committed who is hereby empowered and Required to hear and determine the same, and to Convict the offender or offenders by the Oath or affirmation of one or More Credible Witnesses PROVIDED that such Conviction be made within two Months after such offence Committed, And the other half shall be to the Poor of the Precinct where the said Offence shall be committed

AND for the better Convicting of Offenders against this act BE IT ENACTED by the Authority Aforesaid that every Person in whose Custody shall be found or who Shall Expose to Sale any Green Deer skins Fresh Venison or Deers Flesh at any time in any of the Months before mentioned and shall be Convicted thereof as aforesaid shall be deemed Guilty of the said offence.

AND WHEREAS several Idle Strolling Persons come out of other Governments into Some parts of this Colony and Con-

time lurking About in Private in the Woods and Kill and destroy the Deer for the sake of the Skins only leaving the Flesh in the Woods to Rot and at the same time firing the Woods to the Manifest Injury of the Inhabitants of this Colony for Remedy whereof BE IT ENACTED by the Authority Aforesaid that from and after the Publication of this act if any Person or Persons not being an Inhabitant Residing in this Colony shall come into the same and Kill or destroy any Wild Buck Doe Fawn or other Deer and being thereof Convicted as Aforesaid every such Person shall for every such offence forfeit and Pay the sum of Five Pounds to be Recovered and applied in the manner before mentioned and for want of Effects to answer the aforesaid Fine of Five Pounds to be Committed to the common Goal of the County where such offence shall be Committed for the space of three Months if not sooner discharged by Paying the said Fine of Five Pounds

AND BE IT FURTHER ENACTED by the authority aforesaid that if any Person or Persons from and after the Publication of this act Shall wilfully set fire to the Woods in any part of this Colony and be thereof Convicted before any one of his Majesties Justices of the Peace dwelling in the County where such offence Shall be Committed every such Person shall for every such offence forfeit and Pay the sum of Five Pounds and be liable to all Such Damages as any of the Inhabitants in THE Counties shall or do suffer by such Firing the Woods as aforesaid and for want of effects to pay such Fine the Offender or offenders shall be committed to the Common Goal of the said County where such offence shall be Committed for the space of three Months unless the said Fine and all Costs be sooner Paid Which fine shall be disposed of in like Manner as the before Mentioned fines in this Act are directed

ALWAYS PROVIDED and be it further Enacted by the Authority Aforesaid that neither this Act nor any thing therein Contained shall be taken or Construed to hinder any Person from Firing the Woods upon his own Lands Provided such do not Suffer the said Fire to Run off the same upon Pain and Penalty of the Damages aforesaid.

AND BE IT FURTHER ENACTED by the Authority Aforesaid that one Act Entitled "An Act to Prevent Killing of Deer" Passed in the Twenty fourth year of his Majesties Reign shall be and hereby is Repealed.

## [CHAPTER 1076.]

[Chapter 1076, of Van Schanck, and chapter 154 (vol. 2) of Livingston & Smith, where the title only is printed. Expired January 1, 1761.]

An Act to Regulate the Taxing of Real and personal Estates in the City & County of NEW YORK. Collecting the Taxes and for Preventing Disputes Between Landlords, and their Tenants.

[Passed, December 16, 1759.]

WHEREAS the method now used in the City and County of New York in Taxing Real & personal Estates is found to be Uncertain, & Unequal, BE IT ENACTED by his Honour the Lieutenant Governour The Council and General Assembly, and it is hereby Enacted by the authority of the Same, That all Real Estates in the City & County of New York, Shall from & after the publication of this Act be Rated or assessed, at two third parts of the Rent, or Yearly Income of the Same, and if it be occupy'd by the Owner or Proprietor shall be Assessed on Oath in like proportion, according to what the assessor, shall judge the true Income might be in Case the same were Rented out, And be it further Enacted by the authority aforesaid, That for the more Equal and just Taxation of personal Estates, in the said City and County, that at all times from & After the publication of this act, when any Tax is to be Levyed in the said City & County The Assessors of the Several Wards before any Assessment made shall meet together Settle, and agree upon Some one Method or Rule for the Rating the personal Estates of the persons to be taxed in the several wards, That is to say at what rate any Sum agreed on by them shall be Taxed, that persons of Equal Estates in the Differant wards may be Rated in their assessments at Equal Sums according to which Settlement the Assessors of the several Wards, Shall assess every person in his or their Respective wards seperately, and Distinctly from their Real Estates.

And be it further Enacted by the Authority aforesaid, for the preventing of Disputes between Landlords and Tenants Relating to the possession of Lands, and Tenements, That in Case any Tenant holding any Lands or Tenements by parol Lease, from Year to Year shall not Agree with his Landlord or some person by him Authoriz'd on or before the first day of February in every Year for a Certain Sum of Money or Rent for the Year Ensuing, or in Case the said Lands or Tenements be

held by lease for Years, Shall not within three Months before the Expiration of such Term make some further Agreement with the Landlord for the same, That then it shall and may be Lawfull for any Landlord with whom no such Agreement has been made In Case he sees fitt, to warn the Tenant at any time before the Expiration of his Term to Quit the possession of such Lands or Tenements, at the End of the term, and in Case the Tenant In pursuance of such notice, or warning, shall not Peaceably, and Quietly, Yeald & Deliver up the possession of such Lands & Tenements. It shall and may be Lawfull, for any Justice of Peace or Aldermen Of the said City upon Complaint to him made by such Landlord, to Summon such Tenant Immediately before him to shew Cause why such Lands, and tenements should not be Deliver'd to such Landlord, and if no Sufficient Cause be Shewn by such tenant to Issue his Warrant under his hand & Seal Directed to any or Eisher of the Constables of the said City, Commanding him to Turn out or Remove such tenant from the said Lands or Tenements, and to Deliver the possession of the same to Such Landlord so Complaining

And be it Further Enacted by the authority Aforesaid, That from & after the publication of This act it shall not be Lawfull for any Tenants in the said City & County holding Lands or Tenements as aforesaid to lease the same, or any part thereof to any under Tenant or Tenants whatsoever nor to permit or suffer the Same, or any part thereof to be Occupied held or Enjoyed by any person or persons under them, as tenants without the Consent of the Landlord of such Tenant first had In Writing, and in Case any such Tenant shall without Consent of his Landlord, as aforesaid, make any under Lease, or permit or suffer any Person to hold under him Contrary to the true Meaning hereof It shall and may be Lawfull for such Landlord to Compell such Tenant to pay him Double the Rent agreed upon between them to be Recover'd by Distress, as herein after Directed, or by action of Debt in any of his Majesty's Courts in this Colony, where the same Shall be Cognizable, Provided Always, that nothing herein Contain'd, Shall be Construed to Restraine any such Tenant from keeping lodgers only in Such Tenements.

AND Be it Further Enacted by the Authority Aforesaid, That from and after the publication of this act it shall and may be Lawfull for the Collector, or Collectors of the Taxes in the City and County of New York, In Case The Taxes of any Lands or



Tenements, shall not be Immediately paid in the Said City & County, on Demand made of the same, from the Tenant, To Distrain any Goods and Chattells on the premises (That may in any other Case be Distrained by Law) for the said tax or Taxes and the Goods & Chattles, So Distrained to sell and Dispose of, in the manner hereafter Directed and it is hereby Declared, that in all Cases in which the Taxes of the Leased premises shall be Demanded of the Tenant and shall be paid by him, or shall be levied by Distress as aforesaid, it shall be Lawfull for the Tenant in all Cases unless by Agreement he is to pay the Taxes of the Leased premises to Deduct the Same out of the Rent.

AND BE IT FURTHER ENACTED by the authority aforesaid, That from and after the publication of this act, that where any Goods or Chattles shall be Distrained for any Rent Reserv'd and due upon any Demise Lense or Contract whatsoever, or for any Tax or Taxes, whatsoever in the said City & County and the Tenant or Owner of the said Goods, So Distrain'd shall not within five days next after such Distress taken (and Notice thereof with Caust of suit taking) Left at the Dwelling House or most notorious place or the premises, Charged with the Rent, or Chargeable by this act with Tax or Taxes Distrained for Relpy the same with sufficient security to be Given to the Sheriff or Constable according to Law, That then and in such Case after such Distress, and notice as aforesaid, and Expiration of the said five Days the person so Distraining shall or may with the Sheriff or Under sheriff or with the Constable of the Ward in which such Distress shall be taken, who are hereby Required to be aiding, and assisting therein, Cause the Goods and Chattles, So Distrain'd to be sold, for the best price, That Can be Gotten for the same towards Satisfaction for the Rent or Taxes for which the said Goods or Chattles shall be Distrained & of the Charges of such Distress and sale Leaving, the Overplus If any in the hands of the sheriff, Under sheriffs or Constable for the Owners use, Provided Allways and be it further Enacted, That in Case any such Distress and Sale as aforesaid, Shall be made by Virtue or Colour of the Present act where Nothing is due, or no Distress Aught to be made by the person making such Distress THAT then the owner of such Goods and Chattles Distrained as aforesaid his Executors or administrators Shall or may by action of Trespass or upon the Case to be brought against the Person or Persons so Distraining any or either of them his or their Executors or administrators Recover double the Value of the Goods so Distrained with full Costs of Suit.

AND to Obviate some difficulties that many times Occur in the Recovery of Rents Where the Demises are Not by Deed BE IT FURTHER ENACTED by the Authority Aforesaid that from and after the Publication of this act it shall and may be lawfull for any Landlord or Landlords where the agreement not by Deeds to Recover a Reasonable Satisfaction for the Lands Tenements or Hereditaments held and Occupied by the Defendant or Defendants in an action upon the Case for the use and Occupation of what was so held or Enjoyed and if in Evidence on the Tryal of such action Any Parol Demise or any agreement (not being by Deed) Whereon a certain Rent was Reserved Shall appear the Plaintiff in such action shall not therefore be Nonsuited But may make use thereof as an Evidence of the Quantity of the Damages to be recovered

AND be it further Enacted by the authority aforesaid that from and after the Publication of this Act In all actions of Trespass or upon the Case brought against any Person or Persons for any Distress seizure sale or disposal of any Goods or Chattles in Virtue of this Act it shall and may be lawful to or for the Defendant or Defendants in Such Action to Plead the General Issue and give the Special matter in Evidence Any Law or Usage to the Contrary thereof Notwithstanding and in Case the Plaintiff or Plaintiffs in Such Action shall become Nonsuited Discontinue his her or their Action or have Judgment against him her or them the Defendant or Defendants Shall Recover double Costs of suit. This Act to be in force from the Publication thereof to the first Day of January One thousand Seven hundred and Sixty one.

#### [CHAPTER 1077.]

(Chapter 1077. of Van Schnack, and chapter 155 (vol. 2) of Livingston & Smith, where the title only is printed.)

An Act to Impower and Enable the Mayor Recorder and Aldermen of the City of New York for the time being or the Major part of them to order the Raising a sum Not Exceeding Twelve hundred Pounds by a Tax on Estates Real and Personal in the said City.

[Passed, December 16, 1753.]

WHEREAS the very extraordinary expence of Finishing the new Goal, Purchasing the Island commonly called Redlow's Island for a Pest House, Defraying the unavoidable Charges

of the Corporation together with the heavy Burthen of Fire Wood Candles and other Necessaries for his Majesties Troops Quartered in this City have not only laid it under the disagreeable Necessity of taking large Sums of Money on Interest but have rendered it unable without the aid of the Legislature to carry the said Services through as the Publick Welfare requires;

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governour the Council and the General Assembly and it is hereby Enacted by the authority of the Same that the Mayor Recorder and Aldermen of the City of New York for the time being or the Major part of them whereof the Mayor or Recorder to be one shall have full Power and authority and are hereby fully Impowered and authorized on the second Tuesday in January Next to order the Raising a sum not exceeding Twelve hundred Pounds by a Tax upon the Estates Real and Personal of all and every the Freeholders Freemen Inhabitants Residents and Sojourners within the City of New York towards Payment of the Extraordinary Expences and Charges aforesaid And add the same to the sum which shall then be Raised for the Minister and Poor of the said City Which Tax so to be laid shall be rated and assessed at the same time And by the Vestrymen who Shall Rate and Assess the Tax for the Minister and Poor of the said City and shall be Rated together in one Assessment made of the whole The Vestry Men first taking the Oath Prescribed to be taken in and by an act Entitled "An Act to Enable the Inhabitants of the City of New York to Chuse two Vestry Men for each Respective Ward within the said City" Made and Passed in THE Nineteenth Year of His Present Majesties Reign And the said Tax So to be made Shall be Collected Levied and Paid at the same time and in the same manner as the Tax for the maintenance of the Minister and Poor of the said City hath be accustomed And by Act or Acts of this Colony is or are Directed and enjoined to be Collected Levied and Paid into the hands of the Churchwardens of the said City for the time being Who Shall be Accountable for the same to the said Mayor Recorder and Alderman or the Major part of them whereof the Mayor or Recorder to be one And Pay the same by Warrant or Warrants under their hands and Seals or the hands and Seals of the Major Part of them whereof the Mayor or Recorder to be one Directed to the said Churchwardens According to the Purport and Tenor of such Warrant or Warrants

AND be it further Enacted by the authority aforesaid that over and above the said Sum of Twelve hundred Pounds to be

levied and Paid by Virtue of this Act the sum of Three pence in the Pounds as a Reward to the Constables for their Extraordinary trouble Shall be Assessed Levied and Paid to the Respective Constables for Collecting and Paying the same and no more according to the true Intent and Meaning of this Act Any thing herein or in any other act or Acts Contained to the Contrary hereof in any wise Notwithstanding

AND be it further Enacted by the authority aforesaid that If the said Mayor Recorder and Aldermen the Church wardens Vestrymen or Constables of the City of New York aforesaid Who are hereby Authorized impowered and Required to take effectual care that this Act be Executed According to the true Intent and Meaning thereof or any of them shall Deny Refuse or Delay to Perform Execute and Comply with all or any of the Powers Authorities and Duties in this act given and Required to be done and Performed by them or any of them and shall thereof be Lawfully Convicted in any Court of Record in this Colony he or they so denying Refusing or delaying to Perform the Duties as aforesaid shall suffer Such Pains AND Penalties by fine and Imprisonment as by the discretion of the Justices of the said Court shall be adjudged to be sued for and Recovered by the Person or Persons aggrieved thereby or by any other Person or Persons who Shall Sue for and Prosecute the same to Effect.

#### [CHAPTER 1078.]

[Chapter 1078, of Van Schnack, and chapter 156 (vol 2) of Livingston & Smith, where the title only is printed. See chapter 1062.]

An Act to Revive an act Entitled "an act  
"for raising by a Publick Lottery the sum of  
"one thousand One hundred and Twenty five  
"pounds for the use of the Corporation of the  
"City of Albany."

[Passed, December 10, 1753.]

WHEREAS the Drawing of the Lottery Erected & Established by an Act Entitled "An Act for Raising by a Publick Lottery the sum of One thousand One hundred and Twenty five Pounds for the use of the Corporation of the City of Albany" Passed in the Thirty first Year of his Majesties Reign could not be accomplished within the time limited by the said Act by reason whereof the said Act Expired before the said Corporation could take the benefit thereof

BE IT THEREFORE ENACTED by His Honour the Lieutenant Governour the Council and the General Assembly and it is hereby Enacted by the Authority of the same that the Said Act Entitled "An act for Raising by a Publick Lottery the sum of "One thousand One hundred and Twenty five Pounds for the "use of the Corporation of the City of Albany" shall be and hereby is Revived and every Clause Matter and thing therein Contained Enacted to Remain of Force untill the First Tuesday in April which will be in the year of our Lord One thousand seven hundred and Fifty nine

AND BE IT FURTHER ENACTED by the Authority Aforesaid that Instead of the first Tuesday in August One thousand seven hundred and fifty Eight as is directed by the Aforesaid Act the Drawing of the said Lottery Shall begin on or before the first Tuesday in March One thousand seven hundred and fifty nine

AND all matters Whatsoever directed by the said act to be done and performed by the said first Tuesday in August One thousand seven hundred and Fifty Eight If done on or before the first Tuesday in March One thousand seven hundred and fifty nine shall be good and Valid to all Intents constructions and Purposes whatsoever any thing in the said Act to the Contrary Notwithstanding

#### [CHAPTER 1079.]

[Chapter 1079. of Van Schaack. and chapter 157 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act to impower the Justices of the Peace and Aldermen of the Borough of Westchester County in Conjunction with the Supervisors of the said County to Ascertain and fix the Place for Erecting a New Court House and Goal for the said County and for raising a Sum not exceeding the sum of One thousand Pounds on the Estates Real and Personal of all the Freeholders and Inhabitants of the said County for and towards Erecting the said Court House and Goal

[Passed, December 16, 1759.]

WHEREAS the Court house and Goal of Westchester County hath lately by accident been Consumed by Fire it becomes



necessary that another should be Built as well for holding of Courts as securing of Prisoners

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same that the Justices of the Peace Aldermen of the Borough and Supervisors of Westchester County or the Major part of them are hereby Required to Meet at the House of Doctor Robert Graham in the said County on the Fourth Tuesday next after the Publication of this act, and then and there, they or the greater number of them then Present whether Justices Aldermen or Supervisors shall ascertain and fix Some Convenient place in the said County for Erecting a New Court House and Goal for the uses and Purposes aforesaid as to them Shall Seem fit.

AND BE IT ENACTED by the authority aforesaid that for Building and Erecting the same Court house & Goal and for no other use or Purpose whatsoever it Shall and may be lawfull to and for the Supervisors of the Said County and they are hereby Directed and Required to RAISE Levy and Collect of and From the Several Freeholders Inhabitants and Sojourners within the said County at such time and times as to them shall Seem most Convenient a Sum not Exceeding the Sum of One thousand Pounds which Said sum Shall be Raised levied and Collected in the same manner as the other necessary and Contingent charges of the Said County are.

AND BE IT ENACTED by the authority aforesaid that the money so to be Raised by Virtue of this act shall from time to time be paid by the Several and Respective Collectors unto Such Persons as Shall by the said Supervisors be nominated and appointed not more than the Number of three for ordering and directing how and in what manner the said Court house and Goal Shall be Made and Erected and the said Persons so appointed and nominated are hereby obliged to Observe the Same accordingly and also Shall and may from time to time Inspect Examine and audit all the several and Respective accompts for workmanship & materials to be employed for and towards making and Erecting the Court house and Goal before mentioned and of the due disposition of the said Sum of One thousand Pounds or So much thereof as Shall come into their hands they the said Persons So Appointed as aforesaid Shall render a true account thereof upon Oath unto the Supervisors aforesaid when thereunto Required

## [CHAPTER 1080.]

[Chapter 1080, of Van Schaack, and chapter 158 (vol 2) of Livingston & Smith, where the title only is printed. Expired January 1, 1760.]

An Act to impower and Enable the Supervisors of Queens County to Raise by a Tax on all Real and Personal Estates in the said County such Sum or Sums of money as they shall Judge Necessary and Expedient for relieving such Parts of the said County as are Burthened with the Quartering his Majesties Regular Troops

[Passed, December 16, 1758.]

WHEREAS a large Number of his Majesties Regular Troops are quartered upon the Inhabitants of some parts of Queens County by Reason whereof they are under a necessity to Provide Hospitals for the Sick Soldiers with Bedding Fire Wood and Candles and other Requisites for the Same and Guard houses with Fire Wood & Candles for the same And are otherwise greatly Burthened with providing Quarters for the officers and Soldiers whilst other parts of the said County by their situations are Exempt from the Said Burthens and hardships and it being Conceived Reasonable that the Parts so Exempt should Contribute towards the Relief of such Parts of the said County as are so Burthened.

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same that the Supervisors of the said County of Queens County shall be and hereby are enabled impowered and Required to Raise such Sum or Sums of money by a Tax on the Real and Personal Estates of all the Freeholders Inhabitants and Residents of Queens County as they Shall Judge expedient necessary and Sufficient for defraying the Expence which has already or may during the Continuance of this Act arise within the said County by means of Providing Hospitals with all Necessaries and Requisites for the Same, for the SICK Soldiers who have been or may be Quartered in the said County and for Providing Guard houses with firewood and Candles for the Same and for all other Expences arising by having the said soldiers Quartered in the said County

AND be it further Enacted by the authority aforesaid that the said sum or Sums of money so to be Raised in the said County shall Be raised assessed Collected and Paid in the same Manner as the other Contingent Charges of the said County are And the said Sum and Sums of money so raised levied and Collected shall by the Collectors be paid unto Such Person as the said Supervisors shall Appoint and be Issued by their Warrants and not Otherwise Which Said Person shall account with the supervisors for all such moneys so put into his hands ALWAYS PROVIDED that at least four of the Supervisors of the said County shall agree to the Raising and Issuing all such Sum or Sums of Money before the same shall be Raised or Issued

AND be it further Enacted by the Authority Aforesaid that the said Supervisors shall and they are hereby Required and Directed to meet at the Town of Jamaica in the said County on the Third Tuesday in January next and from time to time thereafter during the Continuance of this Act as shall appear Necessary for putting in Execution the Powers and Authorities vested in them by this Act.

This Act to Continue in Force untill the first DAY of January One thousand Seven hundred and Sixty

#### [CHAPTER 1081.]

[Chapter 1081 of Van Schaack, and chapter 139 (vol. 2) of Livingston & Smith, where the act is printed in full. Continued by chapter 1108.]

An Act to restrain the feeding and Burning the Grass and Cutting the Timber on certain Beaches and Islands therein Mentioned.

[Passed, December 16, 1758.]

WHEREAS the Proprietor of the Townships of Brookhaven Huntington and Ishp in Suffolk County have by Petition to the General Assembly represented the great damages they sustain in their Lands and meadows Adjoining to and Bordering on the great South Bay, on the south side of Nassau Island by Reason of the frequent Overflowing the same by the Waters from the Sea let thro' the Beaches and Islands lying Opposite thereto, Occasioned by the Feeding and Burning the Grass and cutting the Timber growing on the said Beaches and Islands And Prayed that the feeding and Burning the grass and Cutting the Timber on the said Beaches might be restrained

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That from and after the first Day of May next no Horses Neat Cattle sheep or Hogs small or great shall be Suffered to go Run or feed on any of THE Beaches or Islands lying between a Certain Gut or Inlet Called Mastick Gut to the Eastward and another certain Gut or Inlet called Huntington West Gut to the Westward, and in case any Horses Neat Cattle sheep or Hogs small or great Shall after the said first Day of August next during the Continuance of this Act be found on any the said Beaches or Islands it Shall and may be lawfull for any Person or Persons Whatsoever to take Seize and keep the said Horses Neat Cattle Sheep or Hogs as and for their own Absolute Property any Law Usage or Custom to the Contrary Notwithstanding ALWAYS PROVIDED that this act nor any thing therein contained Shall be Construed to Debar or prevent any Person or Persons Whatsoever having Meadows on the said Beaches or Islands from carrying on using and feeding so many oxen and Horses on the said Beaches and Islands as shall be necessary for Carting and Stacking their Hay during the proper Season of getting and Securing thereof

AND BE IT FURTHER ENACTED by the Authority Aforesaid That if any Person or Persons Whatsoever Shall during the Continuance of this act Set fire to or Burn the old Grass or Cut any Timber on any of the said Beaches or Islands, he she or they SO offending on due proof thereof Shall forfeit and Pay the sum of Five Pounds to any Person or Persons who will Sue for the same to his her or their own proper use This act to Continue in Force untill the first Day of May in the year One thousand seven hundred and Sixty

## THE TWENTY-EIGHTH ASSEMBLY.

*First Session.*

(Begun Jan. 31, 1759, 32 George II, James De Lancey, Lieut Governor.)

## [CHAPTER 1082.]

[Chapter 1082. of Van Shaack, where the title only is printed and chapter 160 (vol. 2) of Livingston & Smith, where the act is printed in full.]

An Act for Raising a Supply of One hundred thousand Pounds for levying Paying and Cloathing Two thousand six hundred and Eighty effective men officers Included for forming with the Forces of the Neighbouring Colonies, an Army of Twenty thousand men To invade in Conjunction with a Body of his Majesty's Regular Troops the French Possessions in Canada; For Emitting Bills of Credit for the like Sum; and for Sinking and Cancelling the said Bills in Short Periods.

[Passed, March 7, 1759]

WHEREAS His Majesty has been pleased to order an Expedition by an Army of Twenty thousand Provincial Forces in Conjunction with a Body of his Majesty's Regular Troops for Invading Canada and Carrying War into the Heart of the Enemies Possessions And this his Majesty's loyal Colony being heartily disposed to Exert themselves to their Utmost on this Important Occasion

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same that for and towards levying Paying and Cloathing Two thousand six hundred and Eighty Effective men officers Included to act in the said Expedition with the Forces of the Neighbouring Colonies and a Body of his Majesty's Regular Troops There be given and Granted unto his Majesty his Heirs and Successors the Sum of One hundred Thousand Pounds Which Shall be assessed Raised and levied upon the Estates Real and Personal of all and every the Freeholders Inhabitants and Residents within this Colony and Shall be Collected and Paid in manner following that is to say The Sum of Twelve Thousand Pounds on or before the first



Tuesday in November in this present Year One thousand seven hundred and fifty Nine The Sum of Eleven thousand Pounds on or before the first Tuesday in November which will be in the Year of our Lord one thousand seven hundred and Sixty The like Sum of Eleven thousand Pounds on or BEFORE the first Tuesday in November which will be in the Year of our Lord one thousand seven hundred and Sixty one The like Sum of Eleven thousand Pounds on or before the first Tuesday in November which will be in the year of our Lord One thousand seven hundred and Sixty two The like Sum of Eleven thousand Pounds on or before the First Tuesday in November which will be in the Year of our Lord One thousand seven hundred and Sixty three The like Sum of Eleven thousand Pounds on or before the first Tuesday in November which will be in the Year of our Lord One thousand seven hundred and Sixty four the like Sum of Eleven thousand Pounds on or before the first Tuesday in November which will be in the year of our Lord One thousand seven hundred and Sixty five The like Sum of Eleven thousand Pounds on or before the first Tuesday in November which will be in the Year of our Lord One thousand seven hundred and Sixty six And the like sum of Eleven thousand Pounds on or before the first Tuesday in November which will be in the Year of our Lord One thousand seven hundred and Sixty seven Which Said Sum of Twelve Thousand Pounds and said Sums of Eleven thousand Pounds hereby appointed to be paid on the Days and times before mentioned Shall be Yearly Raised Levied and paid by the Freeholders Inhabitants and Residents in the several and Respective Cities and Counties within this Colony during the nine Years above mentioned According to the Quota's and proportions following, that is to Say;

In the City and County of New York during the first above mentioned Year the sum of Four thousand Pounds.

In the City and County of Albany during the said Year the Sum of Two thousand Pounds.

In Kings County during the said time the sum of Five hundred and Seventeen Pounds six Shillings and Eight pence.

In Queens County during the said time the sum of One thousand and Seventy Pounds Thirteen Shillings and Four Pence

In Suffolk County during the said time the sum of Nine hundred and Twenty Pounds.

In Richmond County during the said time the sum of Three hundred & Twenty five pounds Six Shillings and Eight Pence.

In Westchester County during the said time the sum of One thousand and Seventy Pounds Thirteen Shillings and Four pence

In Ulster County during the said time the sum of Nine hundred and Twenty Pounds.

In Dutchess County during the Said time the Sum of Eight hundred and Fifty Six Pounds.

And in Orange County during the said time the Sum of Three hundred and Twenty Pounds,

AND for and Towards the said Sums of Eleven thousand Pounds Shall be paid Annually for and during the Eight last above mentioned Years

In the City and County of New York yearly during the said time the Sum of Three thousand six hundred and Sixty six Pounds Thirteen Shillings and four Pence.

In the City and County of Albany Yearly during the said time the Sum of One thousand Eight hundred and Thirty three Pounds six Shillings and Eight pence

In Kings County yearly during the said time the sum of Four hundred and Seventy four pounds four Shillings and Five pence.

In Queens County Yearly during the said time the Sum of Nine hundred and Eighty one pounds Eight Shillings and Eleven pence.

In Suffolk County Yearly during the said time the Sum of Eight hundred and Forty three pounds six Shillings and Eight pence

In Richmond County Yearly during the said time the sum of Two hundred and ninety Eight Pounds four Shillings and five pence

In Westchester County Yearly during the said time the sum of Nine hundred and Eighty one Pounds Eight Shillings and Eleven pence.

In Ulster County Yearly during the said time the sum of Eight hundred and Forty three Pounds six Shillings and Eight Pence

In Dutchess County Yearly during the said time the Sum of Seven hundred and Eighty four Pounds Thirteen Shillings and four pence.

AND in Orange County Yearly during the said time the Sum of Two hundred and Ninety three pounds six Shillings and Eight Pence.

AND to the End the full Sum intended by this act may be Effective and Compleat BE IT ENACTED by the authority aforesaid That over and above the Several Quota's above mentioned there shall be Raised assessed levied and Collected the Respective Sums following that is to Say On the Quota for the City and County of New York the Sum of Three pence over and above every Pound to be Retained in the hands of the several Collectors as a Reward for their Trouble in Collecting and paying the same to the Treasurer of this Colony And on the Quota's for the City and County of Albany and all the other Counties in this Colony the Sum of Eight Pence over and Above every pound Out of which the several Collectors may Retain in their hands the Sum of Six pence on Each Pound for Collecting and Paying the same to the Several County Treasurers And the remaining two pence the County Treasurers Respectively may Retain in their hands as a Reward for their Trouble and service in Receiving and Paying the Monies Arising by this act to the Treasurer of this Colony.

AND to the End that assessments may be Made in such Convenient time by the Assessors that the Sums intended to be Raised by this Act may be Collected and Paid at the times herein After mentioned and appointed And that Assessments may be Truly Equally and Impartially made as of Right they Ought to be BE IT ENACTED BY THE AUTHORITY AFORESAID that the Mayor Recorder and Aldermen of the City and County of New York or the greater part of them for the Time being shall meet and Assemble at the City Hall of the said City on the first Tuesday in June Every Year during the said Nine years and then and there Issue their Warrants to the several and Respective Assessors of the said City and County to take a True and Exact account of all the Estates Real and Personal of all the Freeholders Inhabitants and Residents within the several Wards of the Said City and County for which they at THE time of Using Such Warrants shall be assessor or assessors and true Equal and Impartial Assessments to make and the same at a Day in the said Warrants to be Prefix'd by the Mayor or Recorder and Aldermen or the Major part of them then met to Exhibit and when the Said Assessments are by the said assessors Compleated and a full account of the Same fully Cast up according to the pound Value of the said Estates so that the Quota with the allowance for the City and County of New York

be apparent and made Known Then the said Mayor Recorder and Aldermen or the Major part of them Shall Issue their Warrants to the several and Respective Collectors within the Said City and County to Collect the Quota with the allowance by this act directed and that the same be paid unto the Treasurer of this Colony on or before the first Tuesday in November Yearly and every Year during the said Term of Nine Years.

AND that assessments may be truly Equally and Impartially made and done BE IT ENACTED by the authority aforesaid that every Assessor that Shall be Chosen and Elected within the City and County of New York during the Term aforesaid Shall before he enters upon the performance of the Duty and Service Required of him by this act take an Oath upon the Holy Evangelists of Almighty God in the Words following to Wit. I, A, B, do Swear that I will well and truly equally and impartially and in due proportion According to the best of my Skill Knowledge and understanding assess and Rate all the Freeholders Inhabitants and Residents of the Ward of which I am Chosen Assessor SO HELP ME GOD. WHICH Oath the said Mayor Recorder and Aldermen or the Major part of them so met are hereby Impowered Required and directed to Administer

AND for the effectual Assessing Collecting and Paying the Respective Quota's for the City and County of Albany and all the other Counties in this Colony together with the before mentioned allowances to the Collectors and County Treasurers BE IT ENACTED by the Authority aforesaid that the Supervisors of the said City AND County and all the other respective Counties in this Colony, or the major part of them Respectively shall Meet on the first Tuesday in June every Year during the said Term of Nine Years Where the Majority of the Supervisors then Met shall cause the respective Quota's and Allowances aforesaid of Each County to be raised Assessed Levied and Collected in the same manner as the other Necessary and Contingent Charges thereof are And the respective Collectors are hereby required and Injoynd to Pay the respective Quota's to be by them Collected unto the respective County Treasurers on or before the first Tuesday in October Yearly and every Year during the said Term and each of the said County Treasurers are hereby Injoynd and Required to Pay the Respective Quota's of their Counties to the Treasurer of this Colony on or before the

first Tuesday in November then next following during the Said Term

AND BE IT ENACTED by the Authority aforesaid that in Case any of the Collectors Shall neglect or delay to Make their Respective Payments to the Respective County Treasurers for the space of three Months next after the times appointed by this Act The said County Treasurers Shall be and hereby are Enabled directed and Required to Commence Actions in their own Names Respectively for the said Sum or Sums or Such part thereof as Shall be then Unpaid in the County Court where Such Default may happen and Prosecute the same to effect And in Case any of the Respective County Treasurers shall neglect their Respective duties herein all such Sum or Sums of money shall be deemed taken and esteemed Assets in their hands Respectively and they shall be Charged therewith as having Received the same by the Treasurer of this Colony Who shall be and hereby is Enabled directed and Required in his own Name to Commence Actions for the same in the Supreme Court of this Colony within One Month After Such Default made by any of the County Treasurers Respectively and prosecute the same to effect And in Case the Treasurer of this Colony shall Neglect his duty herein all Such Sum and Sums of money so being unpaid Shall be deemed taken and Esteemed assets in his hands and he Shall be Chargeable therewith as if he had Actually Received the Same And in Case any of the Collectors of the City and County of New York Shall Neglect or delay making their Payments of the aforesaid Tax for one month after the times directed by this Act the Said Treasurer Shall be and hereby is Enabled directed and Required in his own Name to Commence Actions against Such Defaulter or Defaulters And Prosecute the Same to effect and in default of Such Prosecution the money so unpaid Shall be deemed taken and Esteemed assets in his hands as if he had actually received the same Any law Usage or Custom to the Contrary Notwithstanding.

AND be it Enacted by the authority aforesaid that Such Mayor Recorder Aldermen Supervisors Assessors Collectors or County Treasurers Respectively within this Colony as Shall deny Refuse Neglect or Delay to do Perform and Execute all or any of the powers Duties and Authorities by this Act required of him or them to be done and shall thereof be Lawfully Convicted in any of his Majesty's Courts of Record he or they shall Suffer Such Pains by fine or Imprisonment as by the discretion of Such Court or Courts shall be adjudged.



AND be it Enacted by the authority aforesaid That the Treasurer of this Colony Shall out of the Money's to be Raised by Virtue of this Act Pay unto Oliver De Lancey Beverly Robinson and John Cruger Esquires Whom his Honour the Lieutenant Governor hath been pleased to appoint Commissaries & Paymasters To the Forces of this Colony the Sum of Forty four thousand pounds to be by them applied in the Payment of Two thousand Six hundred and Eighty effective men officers included who are to be employed with the Forces of the neighbouring Colonies and a Body of his Majesty's Regular Troops to Invade the French Possessions in Canada, after the following Rates, to wit, One Colonel in Chief to Superintend AND Command all the Forces of this Colony the Sum of Twenty shillings per Diem To Two Colonels Commandants sixteen Shillings per Diem Each To Two Lieutenant Colonels fourteen Shillings per Diem Each To Two Majors Twelve shillings per Diem Each To Two adjutants being Lieutenants Ten Shillings per Diem Each To Twenty seven Captains Ten Shillings per Diem each To Fifty one Lieutenants seven Shillings per Diem Each To Two Quarter masters three Shillings per Diem Each To one hundred and Eight Serjeants one shilling and eight pence per Diem Each To Twenty seven Drummers One shilling and six pence per Diem Each To eighty one Corporals One shilling and six pence per Diem Each And unto Two thousand three hundred and seventy four private men One shilling and three pence per Diem Each Deduction to be made for any deficiency in that Number by Death or otherways Which Forces they are hereby directed to Pay According to the number that shall be in Actual service and not otherwise Which Shall be ascertained by the Muster Rolls of the Respective Companies Monthly delivered to the said Paymasters upon the oath of the several Captains of Each Company or the Oath of the Commanding officer thereof at the time of such Muster Which Oath the said Paymasters or Either of them or Such Other Person as the Governor or Commander in Chief shall appoint are hereby impowered and Required to administer in the words following VIZ:— I A. B. do Swear that the muster Roll here produced by me is just and True and Contains no more or other Persons names than Such who are Really and Truly Inlisted in my Company and are now Actually and Really in the service on the Present Expedition against the French Settlements in Canada So help me God.— And the Said Paymasters are hereby further Required and

directed to Pay To one Chaplain attending the above-said Forces twelve Shillings per Diem and to three Surgeons Providing Each two able assistants to attend the said Forces the Sum of Twenty four Shillings per Diem Each And also to provide them with proper Chests of Medicines to the Value of One hundred and Twenty five pounds Each

BE IT ENACTED by the authority aforesaid that the Treasurer Shall OUT of the monies aforesaid Pay unto Each of the said Captains or other officers Properly Authorized to Raise the Forces the Sum of Twenty shillings for Each able Bodied Man Whom he or they Respectively shall engage to enlist Voluntarily into the Said Service And to each of the said Captains as and for an Encouragement to the men Who Shall enlist under him or them Respectively the Sum of Fifteen pounds to be paid by him or them Respectively to each and every able bodied man who Shall Voluntarily enlist under him or them on the aforesaid Service which Said Respective sums shall be paid by the Treasurer on Warrants Issued by the Governor or Commander in Chief for the time being in Council.

AND be It Enacted by the authority aforesaid that the Treasurer of this Colony shall out of the monies to be raised by Virtue of this act Pay unto the Said Commissaries the Sum of Fifteen thousand Pounds to be by them employed in Purchasing Clothing Blankets and other Necessaries for the use of the Forces to be raised by this Colony on the aforesaid Expedition of the due disposition of all Which aforesaid Sums of money they the said Paymasters Shall Render Just and true Accounts On Oath to the Governor or Commander in Chief for the time being the Council or the General Assembly when by them or any of them thereunto Required

AND to the end the aforesaid Commissaries may be Encouraged to do and perform the Several and Respective services Required to be done & Performed by them Respectively BE IT ENACTED by the authority aforesaid that the said Commissaries Shall be allowed to Retain in their hands the Sum of Two pounds on every hundred Pounds they shall employ by Virtue of this act and in that Proportion for a greater or Lesser Sum as a Reward for their Care and Trouble in the several and Respective Services hereby Required to be done and performed by them

AND be It Enacted by the authority Aforesaid that the Said COMMISSARIES before they Receive any part of the Monies

herby directed to be paid unto them shall enter into Recognizances unto our Sovereign Lord the King His Heirs and successors before one of the Judges of the Supreme Court of this Colony in the Sum of Fifty Nine thousand Pounds with two Sufficient Sureties each in half that Sum CONDITIONED that they will well and Truly Employ and apply the Monies to be Received by them as aforesaid to and for the several and Respective uses and Purposes directed by this Act and well and truly to Observe Do and Perform all the directions hereby Required to be observed done and performed by them According to the True Intent and Meaning of this act Which Recognizances are to be filed and Recorded in the Supreme Court

AND be it Enacted by the authority aforesaid that if any of the aforesaid Commissaries Shall fail of Employing and applying the money so to be received by them in manner and for the Respective uses Directed by this act Or, omit to observe do or perform what is hereby Required to be observed done and Performed by them In such Case or Cases the said Recognizances shall be proceeded upon in due form of Law Against Such offender or offenders or his or their Sureties in the supreme Court of this Colony wherein no Essoin Protection Wager of Law or more than one Imparance shall be allowed and the money to be Recovered in Consequence thereof Shall be paid into the Treasury of this Colony and be applied to and for Such Uses as Shall be hereafter directed by act or acts to be passed for that Purpose.

AND be it Enacted that if Either of the said Commissaries shall happen to Die Remove out of this Colony or Refuse to act according to the several Powers and authorities hereby directed and Required It Shall and may be Lawfull to and for the Governor or Commander in Chief for the time being by and with the advice and Consent of his Majesty's Council to Nominate and appoint SOME other fit Person or Persons in the place and Stead of him or them So Dying Removing or Refusing to Act as Aforesaid any thing herein Contained to the Contrary Notwithstanding PROVIDED that the Person or Persons who Shall be appointed Shall be obliged to enter into the like Recognizances with the like Sureties as herein is directed to be done by the said Commissaries before he or they be Intituled to Receive any part of the Money herein Mentioned and in all Respects be as Subject to observe Do and perform the several directions of this Act as if he or they had been named or appointed in it.

AND be it further Enacted by the authority aforesaid that the aforesaid Several Sums of money directed to be Paid to the before mentioned Commissaries Shall be paid by the Treasurer of this Colony at Such time and in Such Proportions as Shall be thought Necessary and Expedient by His Honour the Lieutenant Governor or Commander in Chief for the time being by and with the Advice and Consent of his Majesty's Council of this Colony for performing the Several and Respective Services directed by this Act.

AND be it further Enacted by the authority aforesaid That the Treasurer Shall out of the aforesaid Fund Pay the following Sums of Money (VIZt:) To the Colonel in Chief of the Forces of this Colony the sum of One hundred Pounds To each of the Two Colonels Commandants of the Two Battalions of this Colony the Sum of seventy Pounds To furnish their Respective Tables and to each of the Two Lieutenant Colonels the Sum of Fifty Pounds and to Each of the two Majors the Sum of Forty Pounds for their Respective Tables and Camp necessities.

AND be it further Enacted by the authority aforesaid That the Treasurer Shall Pay unto William Weyman for Printing the Bills of Credit directed to be made Current by this Act the Sum of Forty Pounds.

AND as it is impracticable to have the aforesaid Sums of Money Collected as soon as the present Exigencies Require BE IT ENACTED by the authority aforesaid that for making immediate Payment for the services Aforesaid Bills of Credit to the Value of One hundred thousand Pounds be forthwith Printed made and Issued upon the Credit of the money to be raised and levied by Virtue of this act and Lodged in the Treasury for that Purpose That is to say Five thousand Bills of Ten pounds Each Six thousand Bills of Five Pounds Each and Ten thousand of Two Pounds Each And upon every and Each of Which Bills Shall be impressed on the Right Side thereof the Arms of the City of New York and under the Arms in different Characters these Words 'tis Death to Counterfeit this Bill Which Bills Shall be in the Form following that is to Say BY A LAW OF THE COLONY OF NEW YORK THIS BILL SHALL PASS CURRENT FOR        POUNDS New York the second day of April One thousand Seven hundred and fifty nine Which Said Bills Shall be signed by Nathaniel Marston John Morin Scott Lawrence Reade and Andrew Barclay Esquires or any three of them and numbered by one of them and in Case of the Death of any

of the said Persons the said Bills shall be Signed by the Survivors.

AND be it Enacted by the authority aforesaid that Abraham De Peyster Esquire the Present Treasurer of this Colony in whose hands the Stamps of the Arms of the City of New York and the other Plates are deposited shall in the Presence of the signers aforesaid or the Major part of them deliver unto William Weyman the said Stamps and Plates who is hereby appointed to Print the said Bills and on them to Impress the said Arms and Plates Which when done the said William Weyman shall Redeliver to the Said Treasurer the said Stamps and Plates in the presence of the Signors aforesaid or the Major part of them and the Receipt of the said Treasurer shall be to the said Printer a Sufficient discharge for the same and the said Printer is hereby Required and directed to deliver to the signers hereby Appointed to Sign the said Bills every Bill of Credit by him Printed AND Shall upon his delivery of the said Bills take an Oath in the Words following VIZt; I A. B. Do declare that from the time the Letters were Set and fit to be put into the Press for Printing the Bills of Credit now by me delivered to you untill the Bills were Printed and the Letters afterwards distributed into the Boxes I went at no time out of the Room in which the said Letters were without Locking them up so that they could not be come at without Violence a false Key or other art then unknown to me and therefore to the best of my Knowledge no Copies were Printed off but in my presence and that all the Blotters and other Papers whatsoever impressed by the said Letters whilst Set for Printing the said Bills to the best of my Knowledge are here delivered unto you together with the Stamps and in all things Relating to this affair I have well and Truly demeaned my self according to the True Intent and Meaning of the Law in that Case Made to the best of my Knowledge and Understanding SO HELP ME GOD Which Oath all or every of the Signers are hereby Impowered directed and Required to administer.

AND be it Enacted by the authority aforesaid that the Persons hereby appointed to Sign the said Bills of Credit shall take an Oath before a Magistrate of the City of New York Each of them Well and truly to perform what by this act they are enjoined as their Duty and will knowingly Sign No more Bills of Credit than as by this Act is directed and it is further enacted that any supernumerary Bills shall be left after the said Number shall



be delivered to the said Treasurer in manner aforesaid All Such Supernumerary Bills Shall be burnt and destroyed by the Said Signers or the major part of them or by the Majority of the Survivors of them in the Presence of the Treasurer of this Colony.

AND be it Enacted by the authority aforesaid That the Bills of Credit Enacted and appointed by this Act to Be Current shall be Received by the Treasurer of this Colony in all Publick Payments and for any Fund at any time IN the Treasury and by any Person within this Colony in all Cases whatsoever during the time they are Enacted to Continue and be as effectually Current as any other Bills of Credit made Current in this Colony by any act of the Governor Council and General Assembly.

AND be it Enacted by the authority aforesaid that if any Person or Persons whatsoever Shall Counterfeit any of the Bills of Credit made Current by this Act or Shall Alter any of the Bills made Current as aforesaid so that they Shall appear to be of greater Value than by this act the same Bill or Bills so Altered Were Enacted signed or numbered to pass Current for or shall Knowingly Pass or give in Payment any of the Bills aforesaid so Counterfeited or Altered every Person guilty of Counterfeiting or altering any of the said Bills as aforesaid or of Knowingly Passing or giving in Payment any Such Counterfeit or altered Bills Shall be guilty of Felony and being thereof Convicted shall Suffer the Pains of Death without benefit of Clergy And though Such Counterfeiting altering or Knowingly Passing Counterfeit or altered Bills shall be done out of this Colony Yet any Grand Jury within the City and County of New York is hereby Impowered to Present the same and to Set forth in the Indictment the place Where by their Evidence it appeared that the Fact was Committed which Indictment is hereby declared good notwithstanding that the place alledged be out of this Colony and the Petty Juries on the Tryal of all such Issues shall be Returned from the Body of the City and County of New York any Law Usage or Custom to the Contrary Notwithstanding

AND be it Enacted by the authority aforesaid that the Bills of Credit made Struck and Issued by Virtue of this Act Shall be and Remain Current untill the first Tuesday in November which will be in the Year of our Lord One thousand seven hundred and sixty Eight.

AND be it farther Enacted by the authority aforesaid that none of the Bills of Credit made Current by this act when they become by any means Shattered Torn or defaced shall have any pieces of Paper Parchment or Cloth pinned sewed or Pasted on them and in Case any of them be found with Paper Parchment or Cloth Pinned sewed or Pasted thereon the Currency thereof shall immediately cease and they shall not be thereafter accepted by any Person but the Treasurer who Shall Receive the Same either in Payment or Exchange for other Bills any thing in this act to the Contrary Notwithstanding.

AND be it Enacted by the authority aforesaid that as the Money to be raised levied and Collected by Virtue of this Act shall be paid into the Treasury the Treasurer of this Colony for the time being shall be and he is hereby directed and Required to use his Utmost Endeavours to Exchange the same for Bills of Credit made Current by this Act Which Bills so procured shall be Kept in the Treasury Ready to be Cancelled in Manner as is directed in and by an act Entitled "An act for the more Effectual Cancelling the Bills of Credit of this Colony," Passed in the twenty first Year of his Majesty's Reign

AND be it further Enacted by the authority aforesaid that when the Treasurer Shall have paid all the several Sums Directed to be paid by this act all the Residue of the Money to be Raised by this act Shall Remain in the Treasury to be disposed of by Act or Acts hereafter to be passed for that Purpose.

AND be it further Enacted by the authority aforesaid that the Treasurer Shall keep exact Books of all his Receipts and Payments by Virtue of this Act and a True and Just Account thereof shall render on Oath to the Governor or Commander in Chief for the time being the Council or General Assembly when by them or any of them thereunto Required.

AND to the End there may be no deficiency in the Forces to be furnished by this Colony on the Aforesaid Service BE IT ENACTED BY THE AUTHORITY AFORESAID that in Case a Sufficient Number of Volunteers do not offer by the fourth day of April Next to compleat the full Number of Two thousand five hundred and Eighty Effective including officers it Shall and may be Lawfull for his Honour the Lieutenant Governor or Commander in Chief for the time being and he is hereby Enabled and empowered to Supply the deficiency by Detachments to be made from the Militia of the Several and respective Cities and

be delivered to the said Treasurer in manner aforesaid All Such Supernumerary Bills Shall be burnt and destroyed by the Said Signers or the major part of them or by the Majority of the Survivors of them in the Presence of the Treasurer of this Colony.

AND be it Enacted by the authority aforesaid That the Bills of Credit Enacted and appointed by this Act to Be Current shall be Received by the Treasurer of this Colony in all Publick Payments and for any Fund at any time IN the Treasury and by any Person within this Colony in all Cases whatsoever during the time they are Enacted to Continue and be as effectually Current as any other Bills of Credit made Current in this Colony by any act of the Governor Council and General Assembly.

AND be it Enacted by the authority aforesaid that if any Person or Persons whatsoever Shall Counterfeit any of the Bills of Credit made Current by this Act or Shall Alter any of the Bills made Current as aforesaid so that they Shall appear to be of greater Value than by this act the same Bill or Bills so Altered Were Enacted signed or numbered to pass Current for or shall Knowingly Pass or give in Payment any of the Bills aforesaid so Counterfeited or Altered every Person guilty of Counterfeiting or altering any of the said Bills as aforesaid or of Knowingly Passing or giving in Payment any Such Counterfeit or altered Bills Shall be guilty of Felony and being thereof Convicted shall Suffer the Pains of Death without benefit of Clergy And though Such Counterfeiting altering or Knowingly Passing Counterfeit or altered Bills shall be done out of this Colony Yet any Grand Jury within the City and County of New York is hereby impowered to Present the same and to Set forth in the Indictment the place Where by their Evidence it appeared that the Fact was Committed which Indictment is hereby declared good notwithstanding that the place alledged be out of this Colony and the Petty Juries on the Tryal of all such Issues shall be Returned from the Body of the City and County of New York any Law Usage or Custom to the Contrary Notwithstanding

AND be it Enacted by the authority aforesaid that the Bills of Credit made Struck and Issued by Virtue of this Act Shall be and Remain Current untill the first Tuesday in November which will be in the Year of our Lord One thousand seven hundred and sixty Eight.

AND be it farther Enacted by the authority aforesaid that none of the Bills of Credit made Current by this act when they become by any means Shattered Torn or defaced shall have any pieces of Paper Parchment or Cloth pinned sewed or Pasted on them and in Case any of them be found with Paper Parchment or Cloth Pinned sewed or Pasted thereon the Currency thereof shall immediately cease and they shall not be thereafter accepted by any Person but the Treasurer who Shall Receive the Same either in Payment or Exchange for other Bills any thing in this act to the Contrary Notwithstanding.

AND be it Enacted by the authority aforesaid that as the Money to be raised levied and Collected by Virtue of this Act shall be paid into the Treasury the Treasurer of this Colony for the time being shall be and he is hereby directed and Required to use his Utmost Endeavours to Exchange the same for Bills of Credit made Current by this Act Which Bills So procured shall be Kept in the Treasury Ready to be Cancelled in Manner as is directed in and by an act Entitled "An act for the more Effectual Cancelling the Bills of Credit of this Colony," Passed in the twenty first Year of his Majesty's Reign

AND be it further Enacted by the authority aforesaid that when the Treasurer Shall have paid all the several Sums Directed to be paid by this act all the Residue of the Money to be Raised by this act Shall Remain in the Treasury to be disposed of by Act or Acts hereafter to be passed for that Purpose.

AND be it further Enacted by the authority aforesaid that the Treasurer Shall keep exact Books of all his Receipts and Payments by Virtue of this Act and a True and Just Account thereof shall render on Oath to the Governor or Commander in Chief for the time being the Council or General Assembly when by them or any of them thereunto Required.

AND to the End there may be no deficiency in the Forces to be furnished by this Colony on the Aforesaid Service BE IT ENACTED BY THE AUTHORITY AFORESAID that in Case a Sufficient Number of Volunteers do not offer by the fourth day of April Next to compleat the full Number of Two thousand five hundred and Eighty Effective including officers it Shall and may be Lawfull for his Honour the Lieutenant Governor or Commander in Chief for the time being and he is hereby Enabled and Impowered to Supply the deficiency by Detachments to be made from the Militia of the Several and respective Cities and

Counties of this Colony where such Deficiency may happen ALWAYS PROVIDED that no more Men Shall be detached from the said Several Cities and Counties than according to the following Proportions to Wit

From the City and County of New York three hundred and twelve effective men

From the City and County of Albany four hundred & twenty four effective men

From Kings County Sixty Eight Effective men

From Queens County Three hundred Effective men

From Suffolk County two hundred and Eighty Nine Effective men

From Richmond County Fifty one effective men

From Westchester County Three hundred and Eighty nine Effective men

From Dutchess County Three hundred and Eighty nine Effective men

From Ulster County Two hundred and twenty Eight effective men And

From Orange County One hundred and Thirty effective men

AND be it further Enacted by the authority aforesaid that no Person or Persons whatsoever is or are by this Act Exempted from being Detached for the Service Required by this act except the Several Branches of the Legislature and their Necessary officers His Majesty's Attorney General the Colony Treasurer High Sheriffs and Clerks of Courts Magistrates Ministers of the Gospel Persons under Sixteen or Above Sixty Years of age and Persons who have actually Served in THEIR own Proper Persons in the Provincial Forces of this Colony in the Campaign of the Year Seventeen hundred and fifty seven.

AND be it further Enacted by the authority aforesaid that the Several and Respective Colonels or Next Commanding Officers of the several and Respective Regiments of Militia within this Colony shall forthwith after Receiving the orders of his Honour the Lieutenant Governor or Commander in Chief for the time being for detaching the Number of men wanting according to the aforesaid Proportions Send for all the Captains or next Commanding officers of all the several Companies as well Regimented as unregimented Troops of Horse Included of the said Several and Respective Cities and Counties to attend them at Such time and place as the said Colonels or Next Commanding officers shall appoint with the Several and Respective Lists on



Oath of their Companies and of every other Person in their District or Beat not Exempted by this act Which Oath the Colonel or Next Commanding officer in his Respective County shall be and is hereby impowered to administer in the following Words I A. B. Do swear that the List I now deliver Contains the names of all the men from Sixteen Years of Age to Sixty not exempted by An Act Entitled "an act for Raising a Supply of One hundred thousand Pounds for levying Paying & Cloathing two thousand six hundred and Eighty effective men, of- ficers Included, for forming with the Forces of the Neighbouring Colonies, an Army of twenty thousand men, to invade with a Body of his Majesties Regular Troops the French Possessions in Canada; for Emitting Bills of Credit for the like Sum; and for sinking and Cancelling the said Bills in Short Periods.") in my Company or Beat According to the best of my Knowledge, From which lists the several and Respective Colonels or next Commanding officers together with the other Field officers shall proportion the number of men to be furnished by each Company Respectively according to the Numbers Contained in the said Lists And the said several and Respective Captains or Next Commanding officers for the Respective Cities and Counties with the Assistance of a Field officer of Each Respective City and County shall within Six Days thereafter take the proper Measures for Detaching the number allotted to Each Company Respectively by such time as Shall be Appointed by His Honour the Lieutenant Governor or Commander in Chief for the time being for that purpose each able bodied man who Shall before the SAID Detachments be made Enter Voluntarily into the said service out of any of the said Companies to be allowed part of the Quota of such Company And if any dispute Shall arise among any of the said Companies concerning the Number of Volunteers entered into the said service out of the said Companies the same Shall be Examined into and finally settled by the Respective Colonels or other Field officers of the City or County where the dispute may arise.

AND be it further Enacted by the authority aforesaid that when any of the said Captains or next Commanding officers shall order their Companies to Meet in order to Raise the Quota of men Allotted to them Respectively Every Person duly Warned to appear either Personally or by notice left at his place of Residence not only those belonging to the said Respective Companies but Such others as Reside within the said

Beat or District not Exempted by this Act who shall not Attend at such time and place as shall be appointed by the said Captain or next Commanding officer Respectively Shall forfeit and Pay the sum of Twenty Pounds Or if it Shall appear by a proper Certificate that the offender or offenders is or are one of the People called Quakers they shall on account of the tender Regard the Legislature of this Colony has to Scrupulous Consciences Pay the Sum of Eight Pounds, and no more.

AND be it further Enacted by the authority aforesaid that all Free Negroes and Mustee and Mulattoe Freemen within this Colony shall be and hereby are made liable to be detached on the Aforesaid service by the Captain or Captains or next Commanding officer or officers within whose Respective Beats or Districts they do or may Reside notwithstanding any Indenture or Indentures of servitude they or any of them may be under.

AND Whereas some Persons in Several parts of this Colony have deserted from the Service in the former Campaigns BE IT FURTHER ENACTED by the Authority aforesaid that it Shall and may be lawful for the Several Militia Captains or Next Commanding officers out of or by whose Company they were in listed or Detached to take and seize all such Deserter or Deserters wherever they can be found within this Colony and send them on the aforesaid services as part of the Quota to be furnished by their Respective Companies.

AND be it further Enacted by the authority aforesaid that if any person or Persons being Residents in any County of this Colony shall after the Publication of this act be Inlisted in or for any other County than that whereof they are residents such Person or Persons so Inlisted shall be allowed part of the Quota of that County Whereof they are Residents And if any Dispute shall arise between two Counties upon that head such dispute shall be Examined into and finally settled by such Person or Persons as his Honour the Lieutenant Governor or Commander in Chief for the time being shall appoint.

AND be it further Enacted by the authority aforesaid that if any Person or Persons within this Colony shall after the orders for making the said Detachments be Issued and before the said Detachments be Completed be found in any part of this Colony to which they do not belong and shall not be able to give a Satisfactory Account of himself or themselves and the Business they are upon to the Captain of the District or Beat within whose limits he or they shall be found it Shall and may be

Lawfull for Such Captain or next Commanding officer to detach such Person or Persons on the aforesaid Service as part of the number he is to furnish out of his Company.

AND be it further Enacted by the authority aforesaid that if any PERSON or Persons So Detached Shall Refuse the said service he or they so refusing shall be deemed Deserters and shall be proceeded against and punished accordingly ALWAYS PROVIDED that it shall and may be lawfull for the Person so detached as aforesaid to procure an able bodied man to go in his Room and Stead and on his producing Such to the officer or officers appointed to Command the Company in Which the Said detached person was to go or to the Person or Persons Appointed to Muster the said men he the said detached Person shall be discharged from that Service.

AND be it further Enacted by the authority aforesaid that in Case any Person or Persons whatsoever shall harbour Secret or Conceal any Person Detached or Inlisted as aforesaid and absenting himself from the said service he She or they so offending shall forfeit the Sum of Twenty Pounds.

AND be it further Enacted by the Authority aforesaid that if any Person or Persons Whatsoever shall directly or Indirectly Obstruct the said detachments being made or Shall discourage or hinder any Person from Inlisting Voluntarily into the said Service or shall under any pretence Whatsoever otherwise than by due process of Law detain any such Person who Shall hereafter Inlist Voluntarily or be detached into the said Service though the said Person be servant or apprentice he she or they so offending Shall Respectively forfeit the sum of Fifty Pounds.

AND be it further Enacted by the authority aforesaid that if any Captain or next Commanding officer of a Company of Militia or any Person properly Authorized to Inlist Volunteers on the aforesaid service or Receive the Persons detached shall be Prosecuted by any Master or Mistress of a Servant or Apprentice for detaching or Inlisting his her or their Servants or Apprentice in the AFORESAID Service or for Retaining them in the said service It Shall and may be Lawfull for Such officer so detaching or such Person so Inlisting or Retaining such Servant or Apprentice to plead the General Issue and give this Act in Evidence and the Plaintiff or Plaintiffs in Such Suit or Suits shall not Recover in any such Suits but pay all Costs.

AND be it further Enacted by the Authority aforesaid that if any Colonel or Field Officer shall neglect or Omit to do What

is Enjoyned him or them by this act they shall Respectively forfeit the sum of Two hundred Pounds and any captain or Subaltern officer who shall neglect to do what is Enjoyned him by this act shall forfeit the Sum of One hundred Pounds And every Non Commissioned officer who shall Omit or Neglect the service Required of him by his Captain or next Commanding officer in Executing this act shall forfeit the Sum of Fifty pounds All which forfeitures shall be immediately levied on the Goods and Chattles of the said Defaulters Respectively by Warrant or Warrants Issued by one of the Judges of the Inferior Court of Common Pleas of the Respective County or Counties where the said forfeiture shall arise or by one of the Judges of the Supreme Court in the City of New York on due proof made thereof before him Which Warrants shall be directed to and Executed by the sheriff or Sheriffs of the several Cities and Counties Respectively The said forfeiture when Levied shall be paid into the hands of the Supervisors of the said Respective Counties or the City Treasurer of the City of New York and be by them applied for and towards the Payment of the necessary Charges of each Respective City and County and all other Forfeitures laid by this act shall immediately be levied on the Goods and Chattles of the defaulters Respectively or on the Goods and Chattles of their Masters or Mistresses by Warrant or Warrants under the hands and seals of the Captain or next Commanding officer of Each Respective Company to be by him applied either for the Encouraging of Volunteers or towards the Reimbursement of those in his Company who have Contributed THERETO And where no Goods or Chattles are to be found the aforesaid Defaulter or Defaulters Respectively shall be Committed to Goal there to Remain without Bail or Mainprize for the Space of six Months or untill the said Forfeitures with all Costs and Charges attending the same Shall be fully paid

AND that none of his Majesty's Subjects who are inclined to go upon the service aforesaid may be impeded or debarred from Entering Voluntarily therein or being detached prevented from going thereon BE IT ENACTED by the authority aforesaid That no Person who Shall Enlist or Enter himself a Volunteer in the said service or being detached thereon shall during the Same be liable to be taken therefrom by any Process or Execution Whatsoever other than for Some Criminal matter unless for a Debt or other Just Cause of Action and unless before the taking out of Such Process or Execution not being for a Criminal

Matter the Plaintiff or Plaintiffs therein or some other Person or Persons on his or their behalf Shall make affidavit before one or more Judge or Judges of the Court of Record or other Court out of Which such Process or Execution shall Issue or before Some Person Authorized to take affidavits in such Courts that to his or their Knowledge the Original Sum justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants in the Action or Cause of Action on which Such Process Shall Issue or the Original Debt for which such Execution Shall be Issued out Amounts to the Value of Fifty Pounds Current Money of the Colony of New York over and above all Costs of Suit in the Same action or in any other Action on which the same has been or shall be grounded A memorandum of Which Oath shall be Marked on the back of Such Process or Writt for which Memorandum Or Oath no fee Shall be taken And if any Person Shall Nevertheless be arrested Contrary to the Intent of this act it Shall and may be lawfull for one or More Judge or Judges of Such Court upon Complaint made thereof by the party himself or by any of his Superiour officers to Examine into the same by the Oath of the Parties OR Otherwise and by Warrant under his or their hands and Seals to discharge Such Soldier So arrested or detained contrary to the Intent of this act without Paying any Fee or Fees upon due proof made before him or them that such Soldiers So Arrested or detained Was duely inlisted for the service or Detached thereon as aforesaid and was Arrested and detained Contrary to the Intent of this Act

AND be it Enacted by the Authority aforesaid that any Person or Persons who are willing to Inlist and shall accordingly Inlist for the service aforesaid or being detached therein who are now detained in Goal upon Execution or any Process in any Civil action where the Original Cause of action did not amount to the Sum of Fifty Pounds shall upon a Certificate of Such his or their Inlistment or Detachment being produced to any Judge or Judges of the Court from whence such Process Issued be discharged from Imprisonment without Paying fees. PROVIDED NEVERTHELESS that Such discharge shall not be deemed an Extinguishment of any such Debt but any Plaintiff or Plaintiffs may be at liberty to proceed to Judgment and Execution against the Goods of any such Defendant And also against their Person or Persons after he or they shall be discharged from the said service in the same manner as if Such Debtor had not been Released from Imprisonment.



AND be it Enacted by the authority aforesaid that no Person or Persons whatsoever engaged in the service aforesaid shall be detained therein longer than to the first Day of November next.

AND to the End that no Persons may be sent on the Aforesaid Service but Such as are able bodied and fit for the duty Expected from them BE IT ENACTED by the authority aforesaid that as well those that Enter Voluntarily as those that may be detached shall be mustered Viewed and Examined by such Person or Persons and at Such time and Place as his Honour the Lieutenant Governor OR Commander in Chief for the time being shall appoint and in Case any of them be found on Such Examination unfit for Such Service the Company or Companies Producing such unfit Person or Persons shall be Obligated to Supply their Places with other fit and able bodied men.

AND be it further Enacted by the authority aforesaid that in Case any Person or Persons Whatsoever engaged in the aforesaid service either as officers or Soldiers Shall at any time during the said service Desert therefrom or Shall begin Excite Cause or join in any Mutiny or sedition in the Company to which he doth belong or in any other Company Engaged in the said Service or Shall hold Correspondence with any Rebell or Enemy of his Majesty or give them advice or Intelligence by Letters Messages signs or Tokens or any manner of way whatsoever or shall Strike or use any Violence against his Superior officer being in the Execution of his office or Shall refuse to obey any Lawfull Command of his Superior officer they shall respectively Suffer Death or Such Other Punishment as shall be Inflicted by a Court Martial Which Court Martial shall be held Constituted and appointed by Commission from his Honour the Lieutenant Governor or Commander in Chief for the time being under the great Seal of this Colony

AND Whereas it is apprehended that several able bodied men have absconded and others may before the said Forces be compleated abscond and secret themselves to prevent their being Detached on the aforesaid service BE IT ENACTED by the authority aforesaid that the several and Respective Militia Captains or next Commanding officers Shall be and hereby are fully Impowered Authorized Required and Directed with Such force as they Shall think Necessary to make dilligent and Strict Search for all Such absconded persons belonging to their Respective Companies or whose usual Residence is within their Respective Districts or Bents and take Seize and secure all

Such of the said absconded Persons as they can Meet with wherever they CAN be found In the several and Respective Counties they belong to and send them on the aforesaid service as part of the Quota to be furnished by their Respective Companies and in Case Any of the said absconded Persons shall not be found before the March of the Forces to the General Rendezvous it Shall and may be lawfull for the said Several and Respective Captains or next Commanding officers Respectively with Such Force as they shall find necessary to take seize and secure all Such absconded Persons as Shall or May afterwards be found and send them on the aforesaid Service as Recruits for the forces furnished by this Colony on the aforesaid Important Service

AND be it further Enacted by the authority aforesaid that in Case any Surgeon or Phisician or any proper Number of assistants for them being appointed by his Honour the Lieutenant Governor or Commander in Chief for the time being to attend the aforesaid Forces Shall Refuse Neglect or Delay to go upon the said service Each Person so Refusing Neglecting or Delaying Shall forfeit and Pay the Sum of One Hundred Pounds for such Refusal Neglect or Delay the said forfeitures to be sued for and Recovered by the Treasurer of this Colony And when Recovered lodged in the Treasury untill the Same shall be disposed of by some future Act of this Colony.

[CHAPTER 1083.]

[Chapter 1083 of Van Schaack, where the title only is printed. Chapter 161 (vol. 2) of Livingston & Smith, where the act is printed in full. Revised by chapter 1116. Expired January 1, 1764. Provided for by chapter 1215.]

An Act for Regulating the Pilots and Establishing their Pilotage between Sandy Hook and the Port of New York, and Other purposes therein mentioned.

[Passed, March 7, 1759.]

WHEREAS the Subjecting the Pilots of the Port of New York to proper Regulations will tend greatly to the Safety and Conveniency of the Navigation to and from the said Port.

BE IT THEREFORE ENACTED by His Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That it

shall and may be Lawfull for the Governor or Commander in Chief of this Colony for the time being by and with the advice and Consent of his Majesties Council to appoint one fit and proper Person to be Master and three or more fit and proper Persons to be Wardens of the said Port of New York Who shall be called by the Name or Stile of the Master and Wardens of the Port of New York And in like manner to appoint and Commissionate a Sufficient Number of Persons to be Branch Pilots for the said Port Who shall be and hereby are impowered to Appoint each one Deputy under them PROVIDED that no Person shall hereafter be Commissionated as a Branch Pilot or appointed a Deputy Pilot Untill he shall have been Examined before; and Obtained a Certificate from the master and Wardens of the said Port or any three or more of them under their hands and Seals of his being duely Qualified for such office and if any Person not So Commissionated or appointed shall Pilot any Ship or Vessell going into or out of the said Port from or to Sandy Hook when a Branch or Deputy Pilot offers such Person shall forfeit and Pay the sum of Five Pounds.

AND be it Enacted that the several Branch Pilots of the said Port Shall each at his own Expence find and provide one good and proper Sailing Boat fit for the sea and one Rowing Boat and at all times between the first Day of March and the first Day of November they shall keep at least two of the said Sailing Boats at or near SANDY Hook One of which shall always when the Weather Permits be at sea without the said Hook with a Pilot, ready to go on Board any Vessell appearing in the offing and shall also at all times between the first Day of November and the first day of March keep at least two Whale Boats at or near sandy hook for the more easy putting Pilots on Board or taking them off from any Vessell coming into or going out of Port, and there shall be allways attending or Resident at or near the Northeast Point of Sandy Hook at least one Branch and two Deputy Pilots unless otherwise employed in Piloting Vessels.

AND to enable the said Branch Pilots to defray such necessary Charges and to encourage them to give a due and Regular attendance BE IT ENACTED that from and after the Publication of this act all Vessells bound into or out of the Port of New York through the Channel of Sandy Hook (Vessels under the Burthen of Fifty Tons Carpenters Tonage Trading Casewise between New York and southwestward as far as Cape

Fear Inclusive excepted) shall be subject to Receive on Board a Pilot and if a Pilot offers his Service the Master of every such Vessell shall be liable to Pay the Pilotage as shall be Established in Pursuance of this act Provided that in Case Vessels bound into the Port of New York if the Pilot does not Board the Vessells or offer his Service without Sandy hook he shall be Intitled to no more than half Pilotage If not before she enters the Channel between the East and West Bank then he shall be Intitled to no Pilotage at all Unless by Agreement with the Master.

AND be it Enacted that if any Branch Pilot or his Deputy shall neglect or Refuse to give all the aid and assistance in his Power to any ship or Vessell appearing in Distress on the Coast or in want of a Pilot such Branch Pilot If the Governor or Commander in Chief with the advice and Consent of the Council shall think fit Shall forfeit his Branch, or be fined at the Discretion of the master and Wardens Aforesaid or any three or more of them not Exceeding the sum of Ten pounds Which said Master AND Wardens or any three or more of them are hereby Impowered to Impose such Fine and also to make such Prudential Rules and orders (to be approved of by the Governor or Commander in Chief with the advice and Consent of the Council) for the better Regulating the said Pilots as they shall judge Necessary and Expedient and to impose and lay any Fine for the breach of such Rules and orders not Exceeding the sum of Ten Pounds.

AND be it further Enacted by the authority aforesaid That the Rates and Pilvage to be demanded taken and Received for Piloting, or being present offering to Pilot (except as before Excepted) Every Vessell from and without Sandyhook into the Port of New York and from the said Port down to Sandyhook So far as the Vessells may proceed safely to sea shall be settled fixed and ascertained by the said Master and Wardens so appointed who are hereby Impowered to Alter and vary the said Rates during the Continuance of this Act as may be found most Expedient and Just in order to have them fixed hereafter by the Legislature on a solid Foundation Which Pilotage so Established by the master and wardens aforesaid shall and may be Recovered before the Mayor Deputy Mayor Recorder and Aldermen of the City of New York or any one of them who are hereby Respectively Impowered and authorized to hear try and determine any Dispute or Controversay Concerning the same in a

Summary Way and to award Execution thereupon with Costs of Suits.

AND Whereas this Act is Calculated and Intended more immediately for the advantage and preservation of strangers than Vessels belonging to this Port the masters of which are many of them able and Experienced Pilots and Require little or no Assistance BE IT ENACTED that if the Master of any Vessels belonging to or Owned in this port shall Chuse to bring up or carry down his own Vessell without the assistance of a Pilot he shall not be obliged to Pay more than one half of the Established Rates nor be liable to any Extraordinary Allowance that may be Charged upon Each Vessell from the first day of November to the first day of March Any thing in this Act to the Contrary Notwithstanding.

AND to the end the said master and wardens may be disinterested and Impartial Directors as by this Act is Intended BE IT ENACTED that neither of them so long as they are employed in this Trust shall be directly or Indirectly Concerned in any Pilot Boat or with any Person whatever Commissioned as a Branch Pilot

BE IT ALSO ENACTED that the Branch Pilots of the Port of New York already appointed shall within one month after the Publication hereof and the Branch Pilots hereafter to be appointed Shall before they take upon them the Execution of such office Respectively Enter into Recognizances with two sufficient sureties to be approved of by the Master and Wardens aforesaid or any three or more of them In the penal Sum of Fifty pounds Current money of this Colony CONDITIONED that such Pilot shall and will in all things Diligently and faithfully perform and Execute the Trust Reposed in him According to the directions True intent and Meaning of this act and according to such orders and directions as he shall from time to time Receive from the said Master and Wardens of the Port of New York or any three or more of them And on Breach of such Recognizance the same shall and may be put in Suit at the request of any party Complaining Who Shall be Intitled to and Receive Such part of the Penalty if Recovered as shall be awarded and determined by the said Master and Wardens or any three or more of them Who are hereby authorized to take Cognizance of such Matter and award the damages accordingly Provided ALWAYS that if the Branch Pilot So offending shall pay to the party aggrieved Such damages as shall be assessed by



the said Master and Wardens or any three or more of them with the Costs Accrued the proceedings upon Such Recognizance shall be stayed or discontinued.

AND be it Enacted that the Master and Wardens of the Port of New York for the time being shall be and they or any two or more of them are hereby appointed surveyors for the surveying of all damaged goods brought into the said Port in any ship or Vessell and in like manner with the Assistance of one or more able Carpenter or Carpenters to survey all VESSELS that shall or may be deemed or thought unfit to proceed to Sea and thereupon shall give proper Certificates under their hands and seals as the matter shall appear to them an entry whereof they shall Cause to be made in a Book to be kept for that purpose, for which Certificate and Entry their Clerk shall be Entitled to a fee of Eight Shillings and no more and the Master and Wardens shall be allowed at the Rate of Twenty shillings Each per Day and in that proportion for half or a Quarter of a Day and no Survey on Such Goods or Vessells performed or made in any other manner than is herein directed and Prescribed shall be Valid or Authentick

AND be it further Enacted that before the said Master or Wardens enter upon the Execution or discharge of the said office, They shall Severally take an Oath before one of the Judges of the Supreme Court of this Colony In the Words following that is to Say I, A. B. Will well truly and Impartially according to the best of my skill and Understanding Execute the powers Vested in me by Virtue of an act of the Colony of New York Entitled "An Act for Regulating the Pilots and Establishing "their Pilotage between Sandy Hook and the port of New York "and other purposes therein Mentioned" SO HELP ME GOD.

AND be it further Enacted that the said Master and Wardens shall keep an office in the City of New York and provide and keep a Clerk and a proper Book or Books and therein shall Cause Regular and fair Entries to be made of all their Transactions and Proceedings In Virtue of this act to which all Persons may have Recourse Which Clerk so to be appointed is hereby Impowered and authorized to Receive all the Pilotage money which shall from time to time become due to all or any of the Pilots by Virtue of this act and on Refusal of Payment in his own name to sue for the same before the Mayor Deputy Mayor Recorder, and Aldermen of the said City of New York or any one of them, Who are hereby Respectively Impowered and authorized

to hear try and Determine the same in a Summary Way and to award Execution thereon with Costs and to Keep a distinct and seperate account with Each and every of the said Pilots of all such monies as he shall or may Receive to their use, and EVERY three months to Pay the same to them severally Retaining in his hands four per Cent for his Trouble and all the fines and forfeitures arising by this Act shall and may be Sued for and Recovered by and in the Name of the said Clerk before the Mayor Deputy Mayor Recorder and Aldermen of the Said City of New York or any one of them Who are hereby authorized and Impowered to hear and determine the same and all the said Fines and forfeitures and Such part of the Penalty of any Recognizance recovered and Unapplied as aforesaid shall be paid into the hands of the said Master and Wardens or of any three or more of them and by them applied towards defraying Such Necessary Expences as they shall be put to in the discharge of the Trust reposed in them And the said Clerk is hereby ordered and Required to Enter into Bond with good Security to the said Master and Wardens in the sum of Five hundred Pounds for the faithful discharge of the duty and Trust Reposed in him by this act

AND Be it further Enacted that the Pilotage which Shall or may become due to any of the Pilots who take the Charge of any Vessels Outward bound shall be paid or Secured to be paid to the said Clerk before the breaking Ground of such Vessel in the Port of New York and in Case the Pilot for whose use such money is paid shall fail in Doing his duty the Money to be Returned or the Security to be Void as may happen to be the Case.

BE IT FURTHER ENACTED that the Master or Owners of every Vessel going out of this Port shall pay to the Clerk of the Master and Wardens of the Port of New York In Case he or they shall carry off any Pilot or Deputy Pilot for the use of such Pilot or Deputy Pilot after the Rate of Eight pounds per month 'till he can Return to this Port Provided the Pilot or Deputy Pilot Performs the Duties required by this act.

AND be it also Enacted by the authority aforesaid that during the Continuance of this act it Shall and may be lawfull for the Lieutenant Governor OR Commander in Chief of this Colony for the time being by and with the advice and Consent of his Majesty's Council to appoint so many Branch Pilots as shall be Judged Necessary for the safe Piloting of Vessels (when

Required) through the Channel in the East River commonly called Hellgate to and from the Port of New York the Master and Wardens as aforesaid to Establish the Pilotage and also to make such Rules and Regulations for the Ordering and Direction of the said Pilots as shall be necessary and Expedient.

This act to be and Continue of Force from the Publication hereof untill the first day of January Which will be in the year of our Lord One thousand seven hundred and Sixty one.

[CHAPTER 1084.]

[Chapter 1084, of Van Schaack, and chapter 102 (vol. 2) of Livingston & Smith, where the title only is printed. The acts repealed are chapters 978, 1016 and 1044. Expired January 1, 1700.]

An Act for impressing the several Persons and things and Repealing the several Acts therein Mentioned.

[Passed, March 7, 1759.]

WHEREAS we are bound both by Duty and Gratitude to aid and Assist His Majesty in this just and Necessary War undertaken for the Protection of these his American Colonies against a Cruel and Merciless Enemy

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the Same that it shall and may be Lawfull for any Person or Persons appointed and empowered by the Lieutenant Governor or the Commander in Chief of this Colony for the time being by Warrant under his Sign Manual and Seal at Arms Issued by and with the advice of his Majesty's Council to Impress any Ship Carpenters House Carpenters Joiners Sawyers Wheel Wrights and their and any of their Servants or Apprentices Battoes Scows and all other Vessells and all Materials Necessary for Building the Same and any other Artificers Labourers or Workmen Horses Waggons Carriages and Drivers which the Lieutenant Governor or Commander in Chief for the time being by and with the advice and Consent of his Majesty's Council shall judge necessary to be employed for the Service of his Majesties Army Paying the Usual Rates and Market Price for the same in Ready money and every Person Neglecting or Refusing upon Such Impress to be aiding and assisting in the Required service according to his Capacity and ability Shall suffer one Months Imprisonment without Bail or MainPrize

BE IT FURTHER ENACTED by the Authority aforesaid that when any Waggon Horse or Driver shall be Impressed by Virtue of this act the Person who Shall have the Governors Warrant for the same shall and is hereby obliged to Pay unto the Waggoner or the Driver For every Waggon or Sled Driver and Pair OF Horses Twelve shillings per Day of Which Four Shillings Shall be for the use of the Driver Two Shillings for the use of the owner of the Waggon or Sled and Three Shillings for the use of the owner of Each Horse And in going to the place where they shall be Required to take up their first Load from the Place they are Impressed at Or Returning to the same they shall be Intitled to one Days Pay for every Twenty four Miles and in that proportion for a greater or Smaller distance Notwithstanding any thing in this Act Contained to the Contrary thereof

AND be it further Enacted by the authority aforesaid that every Horse Waggon or Sled impressed as aforesaid shall before it goes into the service be Valued or appraised by three Indifferent Persons Nominated or Chosen by one of His Majesties Justices of the Peace in the County where such Horse Waggon or Sled is or are Impressed Which three Persons shall be sworn by the said Justice Equitably and truly to appraise the same according to the best of their Knowledge Which appraisement Shall be Reduced to Writing and Signed by the Aforesaid three Persons and the said Justice and given to the owner of the said Horse Waggon Cart or Sled And in Case the said Waggon Horse or Sled should be lost or destroyed in the said Service or not Restored to the owner thereof the Person or Persons who shall have the Governors Warrant for Impresssing the same shall be and is and are hereby Obligated to Pay unto the aforesaid Owner the Sum or Sums of Money the said Waggon Sled or Horse shall be so Valued at and the said owner is hereby Impowered to Sue for and Recover the same.

AND be it Enacted by the authority aforesaid that the act Entitled "An Act for Impresssing Ship Carpenters House Carpenters Joiners Sawyers and their Servants and all other Artificiers and Labourers for the Building of Battoes and also for Impresssing Horses Waggons Battoes Scows Steersmen all other things Necessary for Transporting men Carriages and all necessaries for Erecting a Fort or Forts nigh Crown Point on his Majesty's Lands and other Fortifications within this Colony and for limlting AND ascertaining the Prices and Rates of all

materials Requisite thereto "Passed in the Twenty Eighth and also another Act Entitled "An act to limit and ascertain the Rates to be taken for Carriages Employed or Impressed in his Majesty's service in this Colony" Passed in the Twenty Ninth year of his present Majesty's Reign, and Also another Act Entitled "An Act to amend an act Entitled an act to limit and ascertain the Rates to be taken for Carriages Employed or Impressed in his Majesty's Service in this Colony" Passed in the Thirtieth year of his Majesty's Reign shall be and hereby are Repealed and declared null and Void to All Intents Constructions and Purposes Whatsoever

AND be it further Enacted that this Act shall be in force from and after the Publication hereof 'till the first day of January Next and no longer.

#### [CHAPTER 1083.]

[Chapter 1083, of Van Schaack, and chapter 163, (vol. 2) of Livingston & Smith, where the title only is printed. Repealed by chapter 1148.]

An Act for Confirming and Rendering Effectual the Several Assignments sales and Conveyances made of the Real Estates of Such Insolvent debtors who have given up their effects for the benefit of their Creditors in Pursuance of an Act Entitled "An Act to enable "the Creditors of Insolvent Debtors who are "willing to give up their effects to dispose "of the same for the benefit of the Creditors "and to release the said Debtors from Imprisonment" or in Pursuance of another Act Entitled "An act to Enable the Assignees of "Insolvent Debtors more effectually to dispose "of the Estates of such Debtors for the benefit "of their Creditors" and for other purposes therein Mentioned.

[Passed, March 7, 1759.]

WHEREAS in and by the said Act Entitled "an Act to "Enable the Creditors of Insolvent Debtors who are willing to "give up their effects to dispose of the same for the benefit "of the Creditors and to Release the said Debtors from Imprisonment" made and passed in the Twenty Ninth Year of his



Present Majesty's Re-ign It is therein and thereby among other things Enacted and declared that the assignee or assignees of the Estate of such Debtor or Debtors who by the said act is are or Shall be Intitled to the benefit thereof on his or their Compliance with the Terms and Conditions in the said act Mentioned and expressed shall have full Power and Authority to sell and dispose of all the Estate of Such Debtor or Debtors and to Execute good and Sufficient Deeds for the same AND WHEREAS several Messuages or Dwelling houses and Lots of ground Lands Tenements and Hereditaments have been granted Conveyed and assigned by Such Debtors, as well by Virtue of the said first mentioned act as by Virtue of the other act Entitled "An Act to enable the assignees of Insolvent Debtors more effectually to dispose of the Estates of Such Debtors for the benefit of their Creditors," Also passed in the TWENTY ninth Year of his Present Majesty's Reign And part whereof have by Such assignee Or assignees been accordingly sold and Conveyed and the moneys Arising from Such Sales distributed amongst the Creditors of Such Debtor or Debtors According to their Respective dividends Such assignees as well as the Persons purchasing of them Supposing that the sales and Conveyances made by them in pursuance of either or both of the said Acts were a Bar in Law against the Recovery of Dower by the Widow of any Such Debtor or Debtors after his or their Deaths in Confidence whereof Such Purchases were made and Executed AND WHEREAS since the making and Executing the said Sales and Conveyances by such Debtors or assignees some doubt had arisen whether such Sales and Conveyances of such Debtors Real Estate was really a Bar in Law against the Recovery of Dower by the Widow of such Debtor after his Death Which after such distribution as aforesaid may be attended with great Inconveniencies both to Such assignees and Purchasers.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same that all and every the assignments sales and Conveyances heretofore made by any such Debtor or Debtors assignee or Assignees of the Real Estate of any Such Debtor or Debtors shall be and is and are hereby declared to be a Sufficient Bar both in Law and Equity against any Claim of Dower made or to be made by the Widow of such Debtor or Debtors whose Estate or Estates hath or have been so

assigned or Conveyed by Virtue of both or either of the said acts and that the Purchasor or Purchasors of such Estates shall and may hold and Enjoy the same acquitted and discharged of any such demand But that no Widow of any Debtor whose Estate shall hereafter be assigned sold or Conveyed in Virtue of Either of the said acts shall after his Death be barred of her Dower in the Premises so assigned or Conveyed unless she shall freely and Voluntarily Release her Right and Title of Dower therein to Such assignee OR Assignees any thing in either of the said acts or in this Present act to the Contrary thereof notwithstanding

AND WHEREAS the said Act Entitled "An Act to Enable the Creditors of Insolvent Debtors who are Willing to give up their effects to dispose of the same for the benefit of the Creditors and to Release the said Debtors from Imprisonment" did expire by its own Limitation (as to the liberty of Creditors Petitioning) on the first day of January in the Year of our Lord One thousand seven hundred and fifty seven and was Intended to be Revived as to the Liberty of Creditors Petitioning until the first day of January which will be in the Year of our Lord One thousand seven hundred and Sixty three by an act Entitled "An act to Revive an act Entitled an act to Enable the Creditors of Insolvent Debtors who are willing to give up their Effects to dispose of the same for the benefit of the Creditors and to Release the said Debtors from Confinement" Passed in the Thirtieth Year of his Majesty's Reign But the True title of the said act intended to be Revived being mistaken in the act by which it was intended to be Revived Some dispute may arise whether the act so intended to be Revived is at present in Force or Expired for Remedying whereof BE IT FURTHER ENACTED by the authority aforesaid that the said Act Entitled "An act to Enable the Creditors of Insolvent Debtors who are willing to give up their effects to dispose of the same for the benefit of the Creditors and to Release the said Debtors from Imprisonment" shall be and is hereby Revived and every Clause article matter and thing therein Contained Re Enacted and shall be and Remain in full force and Virtue to all Intents Constructions and Purposes Whatsoever from the Publication hereof untill the first day of January which will be in the Year of our Lord One thousand seven hundred and sixty three as to the liberty of Creditors Petitioning and no longer but Shall Continue and be in force as to the Power of Every Court Person assignee or assignees appointed in Pursuance of the said Act untill a full and

final settlement and Division shall be made by them according to the True intent and meaning of the Said act.

AND WHEREAS it may for the Reason aforesaid also admit of Some dispute whether the said act Entitled "An act to Enable the assignees of Insolvent Debtors more effectually To dispose of the Estate of such Debtors for the benefit of their Creditors" did not become obsolete and of no Force on the Expiration of the said act Entitled "An act to Enable the Creditors of Insolvent Debtors who are Willing to give up their Effects to dispose of the same for the benefit of the Creditors and to Release the said Debtors from Imprisonment" upon which it did depend and was made to Explain and Render more effectual for prevention Whereof BE IT FARTHER ENACTED by the authority aforesaid that the said Last mentioned act Entitled "An act to Enable the assignees of Insolvent Debtors more Effectually to dispose of the Estates of such Debtors for the benefit of their Creditors" shall be and is hereby Re enacted and made of the same force and effect that it would have been if the said act Entitled "An act to Enable the Creditors of Insolvent Debtors who are willing to give up their effects to dispose of the same for the benefit of the Creditors and to Release the said Debtors from Imprisonment" had been duly Revived or had Originally been without Limitation And all assignments Sales Conveyances Dividends and Proceedings Whatsoever had made or Executed by Virtue of the said act Entitled "An act to Revive an act Entitled An Act to Enable the Creditors of Insolvent Debtors who are willing to give up their Effects to dispose of the same for the benefit of the Creditors and to Release the said Debtors from Confinement" are hereby Ratified and Confirmed and declared as good and effectual in Law to all Intents Constructions and Purposes Whatsoever as they would have been if the said last mentioned Act had Revived the act thereby intended to be Revived by its true Title.

## [CHAPTER 108G.]

[Chapter 1088, of Van Schanck, and chapter 164 (vol. 2) of Livingston & Smith, where the title only is printed. Expired January 1, 1700.]

An Act to Prevent the Buying Exchanging  
or taking in Pawn of or from any Indian or  
Indians Any Arms, Ammunition or Cloathing  
In the Counties of Albany Ulster Dutchess and  
Orange

[Passed, March 7, 1759.]

WHEREAS the Buying Exchanging or taking in Pawn from the Indians Arms Ammunition or Cloathing in the Counties of Albany Ulster Dutchess and Orange hath been attended with many Inconveniencies, for Remedy whereof

BE IT ENACTED by His Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That in Case any Person or Persons whatsoever within the said Counties after the Publication of this act and during the Continuance of the same Shall directly or Indirectly Buy Exchange or take in Pawn any Arms Ammunition or Cloathing of or from any Indian or Indians Every Person or Persons so offending and being thereof Convicted before any one Justice of the Peace of the County where the offence may be Committed upon the Oath of any one Credible Person Shall for every such offence forfeit and Pay the sum of Twenty Pounds One half thereof to the use of the Poor of the County where such offender or offenders Shall be Convicted and the other half to the use of the Informer to be levied by distress and sale of the Offenders Goods by Warrant under the hand and seal of the Justice before whom Such Conviction shall be made and where distress cannot be made upon the offender or offenders in this behalf it shall and may be lawfull for the said Justice and he is hereby Required and directed to Commit such offender or offenders to the County Goal there to Remain without Bail or mainprize for the Space of three months

AND that the good Intent of this act may not be frustrated by the secret and Clandestine Practices of Persons for the sake of Private advantages BE IT ENACTED by the authority aforesaid that it shall and may be lawfull for any one of the said Justices of the said Counties as often as he or they shall have just Cause to Suspect any Person or Persons within any of the

said Counties to have offended against this Law to Summons such Person or Persons and administer an Oath upon the Holy Evangelists to Purge themselves from the Said Suspicion in the Words following to Wit I, A. B. do swear that I have not directly or Indirectly by myself or any other for me from and after the Publication of an act Entitled "An Act to Prevent the Buying Exchanging or taking in Pawn of or from any Indian or Indians any Arms Ammunition or Cloathing in the Counties of Albany Ulster Dutchess and Orange" Bought Exchanged or taken in Pawn any Arms Ammunition or Cloathing of or from any Indian or Indians Whatsoever within any of the said Counties So help me God. And every Person or Persons so Suspected not appearing upon Summons duly made or Appearing, either Confessing the aforesaid Facts or Refusing to take the aforesaid Oath Shall forfeit the sum of Twenty Pounds or Undergo the Imprisonment aforesaid; The forfeiture to be levied Divided and disposed of in manner aforesaid PROVIDED ALWAYS that no forfeiture or Imprisonment shall be Indicted on any Person Whatsoever in this behalf for not appearing upon Summons untill an affidavit be made of the due Service of the said Summons upon the said Suspected Person or Persons before any one Justice of the Peace in the County where such Suspected Person or Persons may dwell Reside or be found by the Constable or officer who served the same.

This Act to Continue and Remain in force from the Publication hereof untill the first day of January next and no longer

#### [CHAPTER 1087.]

[Chapter 1087, of Van Schauck, and chapter 165 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act for Emitting Bill of Credit to the amount of One Hundred and Fifty thousand pounds to enable his Majesties General to Pay the Debts Contracted and to Carry on His Majesties Service in North America and for Sinking the same within twelve months.

[Passed, July 3, 1759.]

WHEREAS His Excellency Major General Amherst Commander in Chief of His Majesty's Forces in North America hath by his Letter of the eighth day of June One thousand seven hundred and fifty nine Represented to his Honour the Lieu-



Tenant Governor that Considerable Expences have Necessarily been Incurred for the preparations of the Campaign That the Military was Exhausted and that large demands were Dayly and Pressingly made upon the Deputy Paymaster General and that the Agents of the Contractors for money were unable to furnish the Sums Necessary to carry on His Majesty's service That therefore the General in this Distress was Compelled to have Recourse to Him and to Request him to Move the Council and General Assembly of this Colony for a Loan of One hundred and Fifty thousand Pounds New York currency in Bills of the Colony Redeemable within Twelve Months after their date by money's as hereafter directed to be Paid or arising from the produce of Bills of Exchange to be drawn by the said Deputy Paymaster General on the Paymaster General of his Majesties Forces All which having been laid before them by His Honour's message of the Twenty sixth of June His Majesty's faithfull and Loyall subjects of the Colony of New York ever Willing and solicitous to give fresh proofs of their Duty to the King and of their Zeal for His Service and that nothing in their Power may retard the general Operations or the Success of his Majesties Arms Have in this Exigency Readily & Chearfully agreed to the said Loan notwithstanding so large an Emission might possibly effect the Credit of the Paper Currency which this Colony hath always been carefull to preserve.

BE IT THEREFORE Enacted by His Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of THE same that Bills of Credit to the Value of One hundred and Fifty Thousand Pounds current money of New York shall forthwith after the Publication hereof be Printed as followeth (VIZt) Three thousand Bills of Twenty four Pounds each Three thousand Bills of Twelve Pounds each and seven thousand Bills of Six Pounds each Upon which Said Bills shall be Impressed the Arms of the City of New York on the right side of every of the said Bills and under the Arms in different Characters these Words 'Tis death to Counterfeit this Bill and the said Bills shall be in the forms following that is to Say Three thousand of them Thus By a Law of the Colony of New York this Bill shall pass Current for TWENTY FOUR Pounds NEW YORK the Twentieth of July One thousand seven hundred and fifty nine. Other Three thousand of them, thus, By a Law of the Colony of New York this Bill Shall pass Current for TWELVE POUNDS NEW

**YORK** the Twentieth of July One thousand seven hundred and fifty nine. And seven thousand of them Thus By a Law of the Colony of New York this Bill shall pass Current for **SIX POUNDS NEW YORK** the Twentieth of July One thousand seven hundred and fifty Nine. WHICH said Bills shall be signed by Messieurs John Van Cortlandt Theodorus Van Wyck Isaac Roosevelt and Peter Stuyvesant or any three of them and numbered by any one of them and in Case of the Death of any of the said Persons the said Bills Shall be signed by the Majority of the Survivors of them.

AND be it Enacted by the authority aforesaid that the said Signers are hereby directed and impowered upon the delivery to them of the said Bills by the Printer thereof to administer unto him and he is hereby directed to take an Oath in the Words following VIZ: I A. B. do declare that from the time the letters were Set and fit to be put into the Press for Printing the Bills of Credit now by me delivered to you untill the Bills were Printed and the Letters afterwards distributed into the Boxes I went at no time out of the Room in which the said Letters were without locking them up so that they could not be come at without Violence a False Key or other art then unknown to me and therefore to the best of my knowledge no Copies were Printed off but in my presence and that all the Blotters and other Papers whatsoever impressed by the said Letters whilst Set for Printing the said Bills to the best of my Knowledge are here DELIVERED unto you together with the Stamps and in all things Relating to this affair I have well and truly demeaned myself according to the True Intent and Meaning of the Law in that case made to the best of my knowledge and Understanding **SO HELP ME GOD.**

AND be it Enacted by the authority aforesaid that the Persons herein appointed to Sign the said Bills of Credit shall take an Oath before a Magistrate of the City of New York each of them well and truly to perform what by this act they are Enjoyned as their Duty and will knowingly sign no more Bills of Credit than as by this act is directed and if it Shall happen that more of the said Bills Shall be Printed than by this act is Directed when the Said John Van Cortlandt Theodorus Van Wyck Isaac Roosevelt and Peter Stuyvesant or any two of them have Signed the number hereby directed to be Issued they shall immediately Burn and destroy all the remainder.

AND be It Enacted by the authority aforesaid that Elisha Gallandet or such other Person as the Major part of the said Signers of the said Bills of Credit shall agree with shall engrave according to the directions he shall Receive from the Majority of the said Signers nine Stamps for the sides and Tops of the said Bills and shall deliver them to the Treasurer who shall in the presence of the Majority of the said Signers deliver them together with the stamps of the arms of the City of New York now in his Custody unto William Weyman upon his Receipt for the same And when the said William Weyman has finished and Completed the Printing the Quantity and Sorts of Bills hereby directed to be Struck and Issued he shall redeliver the said Stamps to the said Signers and Treasurer who are hereby Required and Directed to Seal them up with their several Seals and they are so to remain in the Treasury untill they shall be ordered to be made use of by any future Act of the Legislature and the Receipt of the Said Treasurer to the Said William Weyman shall be a sufficient discharge for Such Redelivery.

AND be It Enacted by the authority aforesaid that the Bills of Credit Enacted AND appointed by this act to be current Shall be Received by the Treasurer of this Colony in all Publick Payments and for any Fund at any time in the Treasury and by any Person within this Colony in all cases whatsoever during the time they are Enacted to continue and be as effectually Current as any other Bills of Credit made Current in this Colony by any Act of the Governor Council and General Assembly

AND be It Enacted by the authority aforesaid that if any Person or Persons whatsoever shall Counterfeit any of the Bills of Credit made current by this Act or shall alter any of the Bills made current as Aforesaid so that they shall appear to be of greater Value than by this Act the same Bill or Bills so altered were Enacted signed or Numbered to pass current for or shall Knowingly Pass or give in Payment any of the Bills aforesaid So Counterfeited or altered every Person guilty of Counterfeiting or altering any of the Said Bills as aforesaid or of knowingly passing or giving in Payment any such Counterfeited or altered Bills Shall be Guilty of Felony and being thereof Convicted shall suffer the Pains of Death without benefit of Clergy. And though such Counterfeiting altering or Knowingly passing Counterfeit or altered Bills Shall be done out of this

Colony Yet any Grand Jury within the City & County of New York is hereby empowered to present the same and to Set forth in the Indictment the place where by their Evidence it appeared that the fact was committed Which Indictment is hereby declared good Notwithstanding that the place alledged be out of this Colony And the petty Juries on the Tryal of all Such Issues shall be Returned from the Body of the City and County of New York Any Law Usage or Custom to the Contrary Notwithstanding.

AND be it Enacted by the authority aforesaid that the Bills of Credit made Struck and Issued by Virtue of this Act shall be and Remain Current from the Day of the date of the same for and during the Term of one whole year

AND be it Enacted by the Authority aforesaid that the said Signers Shall and they are hereby directed and Required immediately to deliver all the aforesaid Bills of Credit by them Numbered and signed as aforesaid unto the Treasurer of this Colony to be Paid out by him as by this Act is directed

AND be it Enacted by the authority aforesaid that the Treasurer of this Colony for the time being after he shall have Received the Bills of Credit herein before directed to be delivered unto him shall and he is hereby directed and Required to Pay the same unto Abraham Mortier Esquire Deputy Paymaster General or to the Deputy Paymaster General for the time being, upon his drawing and lodging in the hands of the said Treasurer a Set or sets of Bills of Exchange at sixty Days Sight on the Paymaster General of His Majesty's Forces for the sum of Three hundred and Seventy five thousand Spanish Milled Dollars equal to the Sum of One hundred and fifty thousand Pounds New-York Currency, by the Consent and approbation of the General and Commander in chief of all His Majesty's Forces in North America signified in Writing under his hand and also upon assurances in Writing under the hand of the said General or Commander in Chief that this Colony shall be kept harmless and indemnified off and from all Costs Charges and Damages that may happen or accrue by means or on account of the Loan by this act granted untill the Said Money shall be fully Replaced in the hands of the Treasurer of this Colony.

AND be it Enacted by the authority aforesaid that the Bills of Exchange so to be drawn and lodged in the Treasury by the Said Deputy Paymaster General be made Payable to Abraham De Peyotier Esquire Treasurer of this Colony or to the Treasurer

thereof for the time being And if it should so happen that the Money for the amount of the said Bills Should not be paid into the Treasury in the time limited by this Act Then and in Such case it Shall and may be lawfull to and for the said Treasurer and he is hereby directed and required to Negotiate the same, and the money Arising in Consequence OF such Negotiation he Shall use his Utmost Endeavours to Exchange for Bills of Credit made Current by this Act, which Bills So procured shall be kept in the Treasury ready to be Cancelled in manner as is directed in and by an act Entitled "An act for the more effectual Cancelling the Bills of Credit of this Colony" passed in the Twenty first year of his Majesty's Reign

AND be it Enacted by the Authority aforesaid that the Said Treasurer Shall keep exact Books of all the Respective Receipts and Payments by Virtue of this Act and true and Just Accounts Shall render thereof upon Oath to the Lieutenant Governor or Commander in Chief for the time being the Council or General Assembly when by them or any of them thereunto Required

[CHAPTER 1088.]

[Chapter 1088, of Van Schanck, where the first two paragraphs of the act are printed. Chapter 100 (vol. 2) of Livingston & Smith, where the act is printed in full.]

An Act for removing the Prisoners from the City Hall of the City of New York to the new Goal Built by the Mayor Aldermen and Commonalty of the Said City and for appropriating certain parts thereof to the uses and purposes of a Common Goal for the City and County of New York.

[Passed. July 3, 1739.]

WHEREAS the keeping of Prisoners in the City Hall of the said City is found very inconvenient and the Mayor Aldermen and Commonalty of the said City have for that and other Reasons Built and finished a new House in the Commons of the said City and have provided proper and Commodious apartments within the Same for Goals and the Safe Custody of Prisoners

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same that from and



After the time herein after limited for the Removal of Prisoners the Sheriff of the City and County of New York shall not at any time confine or keep any Prisoner or Prisoners in the City Hall of the city of New York nor occupy the same for any other Purpose or Purposes whatsoever And that from henceforth the two Cellar Rooms under the West side and towards the Rear of the said House lately Built by the Mayor Aldermen and Commonalty of the said City the three Rooms or apartments in the West Side of the same House in the Middle Story and the six Rooms in the Third Story in the said House shall be the Goal or Goals of and for the Said City and County of New York And that the Sheriff of the said City and County for the time being shall have the keeping of the Same.

AND be it further Enacted by the authority aforesaid that the sheriff of the Said City and County shall remove all his Prisoners from the City Hall of the said City to the Goal or Goals provided by this Act as aforesaid When and as soon as the Said Mayor Aldermen and Commonalty by order of their Board and a Copy THEREOF to be served on him the same shall direct and Shall there keep them the said Prisoners and every of them in Safe Custody untill they be Respectively discharged by due Course of Law.

AND be it further Enacted by the authority aforesaid that the said sheriff shall not be liable to any action or actions of Escape or other action at Law for the removing of the said Prisoners or either of them and that if any action Plaint Suit or Information shall be Commenced or Prosecuted against the said Sheriff for removing the said Prisoners or either of them in pursuance of this act That it shall and may be lawfull for him to plead the General Issue (not Guilty) and upon any Issue Joined may give this act and the Special matter in Evidence and if the plaintiff or Prosecutor shall become nonsuit or forbear further to Prosecute or Suffer a discontinuance or if a Verdict pass against the Plaintiff the Defendant shall Recover double Costs for which he shall have like Remedy as in Case where Costs by Law are given to Defendants PROVIDED always and it is hereby ENACTED that in Case any Prisoner or Prisoners Shall Escape from the Custody of the Said Sheriff in the time of his her or their Removal and the said Sheriff shall not Retake him her or them and actually Confine Such Prisoner or Prisoners in the Goal or Goals Provided by this act within Sixty Days after Such Escape made the said Sheriff shall be liable to all actions

for Such Escape or Escapes in the same manner as he would have been if this act had not been made.

AND be it further Enacted by the authority aforesaid that as soon as the said sheriff shall have removed his Prisoners from the City Hall of the said City the said Sheriff shall deliver all the Keys of the same to the Mayor Aldermen and Commonality of the City of New York or Such Person as they shall appoint to Receive them.

### [CHAPTER 1089.]

(Chapter 1089, of Van Schnack, and chapter 167 (vol. 2) of Livingston, where the title only is printed.)

#### An Act for Naturalizing the several Persons therein Mentioned

[Passed, July 3, 1789.]

WHEREAS Nicholas De Ronde, Jacob Grunf, Ary Van Gubder, John Baltus Desch, Johannes Snous, David Fairley, Michael Nistell, John Goodbardly, John Sebas, Gottlieb Wolhaupter, John Sebastian Stephany, Daniel Christian Fueter, John Ludwig Dunckel, John Will, John Seidel, Adam Pontius, Carl Noeverdiz, Peter Schweikert, Samuel Finkenhan, John Haltham Spingler, Jacob Spingler, Ludwig Gressman, Michael Huns-wurth, Georg Aimes, Friedrich Weiss, Casper Aettinger, Mat-theus Hallenmann, Casper Reismor, Gotthart Ziegler, Mattheus Schaffer, Georg Hubner, Jacob Huth, Leonard Sandots, Pierre Lagear, Peter Rougon, Philip Laydick, Heinrich Heyser, John Heinrich, Genter, Ferdinand Duponner, Maurits Goedel, Georg Auch, Jacob Clauser, Georg Hagle, Christopher Prien, Heinrich Closs, Godfried Leidelbach, Pierre Dupont Laurens Eeman, Levy Moses, Johannes Sprangenbergh, George Stamm, George Kusa, Francis Ruppert, Adam Ruppert, Johannes Wert, Michael Gub-linger, Laurens Eckman, Matthias Link, Lucas Vetter, Philipp Heinrich Eilen, Paul Reiter, Hans Georg Creutz, Michael Russell, Peter Felix, Andreas Schneider, George Hip Stephen Hip, Con-  
radet Cratzinger, Nicholas Schaffer, John Wolf Berlet, Wil-  
liam Gerlach, John Daniel Miller, Johannes Eigenbrecht, Henry  
Hutner, Johannes Gerardus Dunsdman, Johannes Effert, Her-  
mannus Edl, John Thomas Miller, Arnoldus Reibach, Peter  
Friedrick, Johan Peter Reibach, Gerlach Meyer John Krauman,  
Johannes Wendell, Felix Meyer, William Reider, John Peter  
Halleger, Frederick Frank, Johannes Eigenbrecht, Adreas Dux,

Martin Smith, Felix Keller, Jacob Keller, Rudolph Keller, Henry Keller, Jan Joost Kock, William Gerlach, Jacob Brunner, Rudolph Voncker, Johannes Setefan, John George Yordan, William Euler Junior, Johannes Wolgemooth, Peter Bausley, John Frederick Geiger, Theodorus Shnaad, Ulrick Shaad, Casper Huber, Casper Clock, Andreas Weigieser, Pieter Siegeler, Philip Keilman, Coenraadt Lengevelde, Baltus Ergetsinger, Philip Werner, Fallerus Wagenaer, Jacob Algajer, Martin Lieslaer, Bastiaen Keyscryck, FREDERICK Kekrigh, Daniel Lash, Casper Overyser, Michael Hoffman, Carl Hoffman, Jury Hoffman, William Ash, and Frederick Klein, have by their several Petitions Presented to the General Assembly desired that they may be naturalized and become His Majesties lege Subjects within this Colony

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same that the abovenamed Several Persons and Each and Every of them, shall be and hereoy are declared to be naturalized to all Intents Constructions and Purposes Whatsoever and from henceforth and at all times hereafter shall be Intituled to have and Enjoy all the Rights and liberties, Privileges and advantages Which his Majesty's Natural Born Subjects in this Colony have and Enjoy or Ought to have and Enjoy as fully to all Intents and Purposes whatsoever as if all and Every of them had been Born within this Colony

PROVIDED ALWAYS and it is hereby further Enacted by the same authority that all and every and Each of the before mentioned Persons shall take the Oaths appointed by Law instead of the Oaths of allegiance and supremacy Subscribe the Test and Make Repeat swear to and subscribe the abjuration Oath in any of his Majesty's Courts of Record within this Colony Which Oaths the Said Courts are hereby Required upon application to them made to administer take Subscriptions and Cause the Names of the Persons So swearing and subscribing to be Entered upon Record in the said Courts and the Said before mentioned Persons are Each of them hereby Required to Pay the several sums herein after mentioned that is to Say To the speaker of the General Assembly the Sum of Ten Shillings To the Judge of the Court the Sum of Six Shillings And to the Clerk of Such Court the Sum of three Shillings.

AND be it further Enacted by the authority aforesaid that if THE Said Persons or any of them having so Sworn and Subscribed as aforesaid shall demand a Certificate of his or their being Entred upon Record in the manner herein before directed

The Court or Courts in Which Such Oaths and Subscriptions shall be made are hereby directed and Required to grant such under the hand of the Judge and seal of the said Court or Courts in Which Such Oaths and Subscriptions as aforesaid shall be made Countersigned by the Clerk of the said Court for which Certificate each of them shall Pay over and above the sums before Mentioned the sum of six Shillings One half to the Judge of such Court or Courts and the other half to the Clerk thereof Which Certificate or Certificates shall at all times be to the Person or Persons therein named a Sufficient proof of his or their being Naturalized by Virtue of this Act in as full and Effectual a manner as if the Record aforesaid was actually Produced by the Person or Persons so named in Such Certificate.

PROVIDED ALSO and be it further Enacted by the authority aforesaid that such of the Persons hereby naturalized as shall not take the Oaths Test and abjuration in manner herein before directed within twelve Months next after the Publication hereof shall have no manner of benefit by this act any thing therein Contained to the Contrary notwithstanding.

AND be it Enacted by the authority aforesaid that the Publick Printer of this Colony Shall and hereby is directed and Required to Print this act as if the same were a publick act of this Colony

## THE TWENTY-EIGHTH ASSEMBLY.

### *Second Session.*

[Begun Dec. 4, 1759, 33 George II, James De Lancey, Governor.]

### {CHAPTER 1090.}

[Chapter 1090. of Van Schaack, where the title only is printed. Chapter 166 (vol. 2) of Livingston & Smith, where the act is printed in full. Continued by chapter 1126.]

An Act further to continue an act Entitled "An act for granting to his Majesty the  
"several Duties and Impositions on goods  
"Wares and Merchandizes Imported into this  
"Colony therein Mentioned."

[Passed, December 24, 1759.]

WHEREAS the several Duties and Impositions on goods Wares and Merchandizes Imported into this Colony and granted for the support of his Majesty's Government by the above men-

thousand seven hundred and Fifty nine to the first Day of September One thousand seven hundred and Sixty after the Rate of Thirty pounds per annum

UNTO Two Land and Tide waiters for their Services in that Station from the first Day of September One thousand seven hundred and fifty nine to the first Day of September One thousand seven hundred and Sixty after the Rate of Forty pounds per annum to each of them

ALL which aforesaid Sums of money shall be paid by The Treasurer Quarterly on Warrants Issued by the Governor or Commander in chief for the time being by and with the advice and Consent of his Majesty's Council and the Receipts of the several Persons endorsed on the said Warrants shall be to the Treasurer GOOD vouchers and Discharges for so much as shall be thereby acknowledged to be received.

AND BE IT ENACTED by the authority aforesaid That the Treasurer Shall and he is hereby directed and Required out of the Funds aforesaid to pay the several allowances following, to Wit

UNTO Abraham De Peyster Esquire Treasurer of this Colony for his Services in that Station from the first Day of September One thousand Seven hundred and fifty Nine to the first Day of September One thousand seven hundred and Sixty after the Rate of two hundred pounds per annum And for the extraordinary Services which he is now obliged to perform beyond the usuall Duty of his office after the Rate of the further Sum of One hundred pounds per annum WHICH said several Sums or so much thereof as Shall be Really and truly Due shall be allowed to the said Abraham De Peyster or to his Executors or administrators as good discharges for so much in his or their accounts.

UNTO Robert Charles Esquire agent for this Colony in great Britain as a Reward for his care trouble and Diligence in attending upon his Majesty and his Ministers of State about the affairs of this Colony from the first of September One thousand seven hundred and fifty nine to the first Day of September One thousand seven hundred and Sixty after the Rate of Two hundred pounds per annum Which said Sum or so much thereof as shall be Really and truly Due Shall be paid unto the said Robert Charles or to his Executors or Administrators by an order of the General Assembly of this Colony Signed by the Speaker for the time being and not otherwise.



UNTO Abraham Lott junior Clerk of the General Assembly for his Services in that Station from the Thirty first Day of January One thousand Seven hundred and fifty nine to the first Day of September One thousand seven hundred and Sixty Twenty Shillings per Diem and no more on a Certificate from the General ASSEMBLY Signed by the speaker for the number of Days he has served or may serve the General Assembly Any thing in any former act to the contrary Notwithstanding.

AND UNTO Alexander Lamb Doorkeeper of the General Assembly for his Service in that Station from the first of September One thousand seven hundred and Fifty nine to the first Day of September One thousand seven hundred and sixty Six Shillings per Diem On a Certificate from the General Assembly signed by the speaker for the number of Days he has served or may serve the General Assembly

AND UNTO the said Alexander Lamb for sundry Disbursements and extraordinary services for the use of the General Assembly the further Sum of Twenty pounds.

AND BE IT ENACTED by the authority aforesaid That the Treasurer shall and he is hereby directed to keep exact Books of the Several Payments which he is directed to make by this Act and Shall render true and distinct accounts thereof upon Oath to the Governor or Commander in Chief for the time being the Council or the General Assembly when by them or any of them he shall be thereunto required.

[CHAPTER 1092.]

[Chapter 1092. of Van Schaack, where the title only is printed. Chapter 170 (vol. 2) of Livingston & Smith, where the act is printed in full. Continued by chapter 1128.]

An Act further to continue an act Entitled  
"An act for regulating the Militia of the Colony  
"of New York," together with the several acts  
therein Mentioned respecting the regulating  
the Militia.

[Passed, December 24, 1759.]

BE IT ENACTED by his honour the Lieutenant Governor the Council and the General Assembly and It is hereby Enacted by the authority of the same, that the Act aforesaid Entitled "An act for Regulating the Militia of the Colony of New York" passed in the Twenty eight year of his Majesty's Reign, as also

one other Act entitled "An act to continue an act entitled an act for Regulating the Militia of the Colony of New York with some additions thereto" passed in the Twenty Ninth Year of his Majesty's Reign, as also one other act Entitled "An Act to amend an act Entitled an act for Regulating the Militia of the Colony of New York" passed in the Thirtieth Year of his Majesty's Reign as likewise one other Act Entitled "An act further to continue an Act Entitled "An act for regulating the Militia of the Colony of NEW YORK together with the two acts therein mentioned respecting the regulating the Militia of "New York with an addition thereto" passed in the Thirty second year of his Majesty's Reign shall be and hereby are continued and every Clause Article matter and thing in the said four acts contained Enacted to be and Remain in full force and Virtue to all Intents Constructions and purposes whatsoever from the first Day of January next untill the first Day of January which will be in the Year of our Lord One thousand seven hundred and sixty one.

[CHAPTER 1093.]

[Chapter 1093, of Van Schaack and chapter 171 (vol. 2) of Livingston & Smith, where the title only is printed Expired January 1, 1760.]

An Act for laying an Excise upon all Tea of foreign growth retailed within this Colony during the time therein mentioned

[Passed, December 24 1759.]

BE IT ENACTED by his Honor the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same that there shall be laid for his Majesty's use from the first day of January next for and during the Term of one whole year from thence an Excise upon all Tea of foreign Growth retailed throughout this Colony (to wit) for and upon every pound of such Tea sold and disposed of by Way of Retail the sum of six pence and So in Proportion for every greater or lesser Quantity retailed as aforesaid

AND be it enacted by the authority aforesaid That every Person or Persons whatsoever who after the said first Day of January next shall sell open or Divide to several Persons any Chest Box Tub Bag or other Package of Tea Shall be and hereby is and are declared Retailer or Retailers of Tea within the meaning and Intent of this act and the Managers or Collectors

appointed to Collect the said Duty shall allow Such Person or Persons so selling opening and Dividing Tea as aforesaid five per Cent for loss of weight to be computed from the Weight Specified in the Original Invoice of such Chest Box Tub Bag or other package as aforesaid

AND be it Enacted by the authority aforesaid That Benjamin Blagge of the City of New York hereby is Impowered and authorized to grant and to give unto all and every Person and Persons residing within this Colony (except within the City and County of Albany) who shall apply to him for that purpose a Licence or Licences authorizing him her or them so applying for the same to Retail Such Tea upon the Payment of six pence as aforesaid upon the sale of every pound of such Tea by them sold and retailed and so in proportion for any greater or lesser Quantity SO by them Retailed

AND BE IT FURTHER ENACTED by the authority aforesaid that Volkert P. Douw of the City of Albany shall be and hereby is Impowered and authorized to grant such Licenses as aforesaid to all and every Person or Persons applying for the same who Shall or do Reside within the City and County of Albany.

AND be It Enacted by the authority aforesaid that the several and Respective Persons who are by this act authorized and Impowered to grant Licences to the several and Respective Retailers of such Tea within their Several and Respective Districts are hereby also appointed managers for collecting and gathering in the said duty so as aforesaid laid upon all such Tea so as aforesaid sold and disposed of by Way of Retail within this Colony Which managers before they enter upon the Performance of the services required of them by this act Shall each of them take the following Oath (vizt) I A. B. Will well Truly and faithfully according to the utmost of my power and ability Execute perform and Do all and every the Duties and Services required of me by an act Entitled an act for laying an Excise upon all Tea of foreign growth retailed within this Colony during the time therein mentioned SO HELP ME GOD Which Oath it shall and may be lawfull for either of the Judges of the supreme Court or either of the Judges of the Inferior Courts of common pleas of the several and Respective Cities to administer to the aforesaid several and respective managers hereby nominated and appointed as aforesaid And they the said managers shall at the same time enter into Recognizances

Unto our Sovereign Lord the King his heirs and Successors to Wit The said Benjamin Blagge in the sum of Two thousand pounds with two Sufficient Sureties each in half that sum And the said Volkert P. Douw in the sum of One thousand pounds with two Sureties each in half that sum for the faithful discharge of their Respective Trusts and that they will Pay into the TREASURY all such Sums of money as they shall Receive by Virtue of this act pursuant to the Directions thereof Which Said Recognizances shall be lodged in the Treasury of this Colony.

AND be it Enacted by the authority aforesaid that it shall and may be lawfull for the said several and respective managers aforesaid or any or either of them upon granting of every License or Licenses as aforesaid to demand and receive of the Retailer or Retailers of such Tea as aforesaid to whom he or they shall grant such License or Licenses the sum of one shilling and six pence for each License so granted.

AND be it Enacted by the authority aforesaid that the aforesaid Persons who are hereby Appointed Managers shall and they are hereby required and directed to qualify themselves as soon as may be after the Commencement of this act on Pain of forfeiting the sum of One hundred Pounds to be recovered with full Costs of Suit by action of Debt or otherwise in the supreme Court by the Treasurer of this Colony and applied to and for the support of his Majesty's Government in this Colony by act or acts hereafter to be passed for that purpose.

AND be it Enacted by the authority aforesaid That if any Person or Persons Whatsoever shall presume to sell Directly or Indirectly any such Tea by Way of Retail from and after the first Day of January next (except he she or they so selling and retailing do apply for and obtain a License or Licenses for that purpose in the manner as herein Before is directed) he she or they so offending shall forfeit and loose the sum of Five pounds for every offence to be Recovered in a Summary Way before any of his Majesty's Justices of the Peace with full Costs of suit by the aforesaid managers respectively and Shall also forfeit all such Teas as shall then be found in his her or their Possession

AND be it Enacted by the authority aforesaid that all and every Person or Persons who shall apply for and obtain a License or Licenses to Sell and dispose of such Tea by Way of Retail as aforesaid Shall and he she or they are hereby required and directed to keep an Exact account of all such Tea

which he she or they shall Retail from the said first Day of January next untill the first Day of January which will be in the Year of our Lord One thousand seven hundred and Sixty One and he she or they shall upon the payment of the money by this act laid upon all such Retailed Tea produce the said Account to the managers aforesaid by whom they were Respectively Licensed with whom He she or they shall settle their accounts And the said respective managers are hereby directed and Required before the Settlement of any account or accounts with any or either of the said Retailer or Retailers of such Tea to administer to such Retailer or Retailers an Oath or affirmation as the Case may happen to be to the following effect (VIZt) That the account so produced by him her or them is a just full and perfect account of all the Tea of Foreign growth sold by Retail by him her or them from the first Day of January next to the Day on which Such Settlement shall be so made Which oath or affirmation it is hereby declared lawfull for the aforesaid Managers respectively to administer

PROVIDED AND BE IT ENACTED by the authority aforesaid That whensoever the Retailers of Tea as aforesaid shall make up and Settle their accounts with the aforesaid Respective Managers if they can make it appear to the Satisfaction of the Said Managers Respectively that the Excise of any of the Tea retailed by them as aforesaid has already been paid or secured to be paid by any other Person or Persons such Retailer or Retailers shall be allowed so much in his her or their accounts as he she or they shall so make appear to have been before paid or secured to be paid

AND be it Enacted by the authority aforesaid that if any or either OF the said Retailer or Retailers of such Tea shall neglect or refuse to keep Such account and the same to produce to the said Managers Respectively he she or they so offending shall respectively forfeit and loose the sum of Fifty pounds

AND WHEREAS it may prove very inconvenient to many of the several and Respective Retailers of Tea aforesaid to attest their accounts before the managers as aforesaid by reason of the distance many Retailers live from the said managers for Remedy whereof BE IT ENACTED by the authority aforesaid That it shall and may be lawfull for the several and Respective retailers of Tea during the continuance of this act to attest their accounts Before one of the Judges of the Court of common Pleas within any of the respective Counties of this Colony where



such Retailers dwell and Reside which accounts so attested shall be Received and allowed by the aforesaid Managers any thing herein to the Contrary Notwithstanding

AND BE IT ENACTED by the authority aforesaid that each and every of the retailers of such Tea as aforesaid shall Pay the said Excise unto the aforesaid managers respectively in half Yearly Payments which Sums when Received by the said managers shall forthwith thereafter by them be paid into the Treasury of this Colony together with all the monies arising by the granting of Licenses as aforesaid

AND BE IT ENACTED by the authority aforesaid That if from and after the Commencement of this act any Person or Persons whatsoever shall oppose molest hinder or Obstruct any or either of the said managers in the due Execution of the Powers and authorities given and granted unto them by this act every Person or Persons so doing shall forfeit and loose for every such offence the sum of Fifty Pounds.

AND BE IT ENACTED by the authority aforesaid that the several aforesaid forfeitures (except forfeitures by the managers themselves) Shall BE Sued for and recovered by the aforesaid managers respectively in any Court where Such Causes are properly Cognizable and when Recovered paid into the Treasury together with the produce of the sale of all Such Tea as shall happen to be forfeited by any such Retailer as aforesaid and shall remain there untill the same be disposed of by Act or Acts hereafter to be passed for that purpose.

And be it Enacted by the authority aforesaid that all the Monies arising and to be paid to the Treasurer by Virtue of this act shall remain in the Treasury untill the same shall be disposed of by act or acts hereafter to be made and passed for that purpose

AND BE IT ENACTED by the authority aforesaid That it shall and may be lawfull for the aforesaid managers to retain in their own hands out of the monies to arise by this act the following sums (VIZt) The said Benjamin Blagge the Sum of Eighty pounds as a Reward for his care and Trouble in performing the several Services required of him by this act And the said Volekert P. Douw the sum of Twenty Pounds together with one full fourth part of all the fines and forfeitures which he the said Volekert P. Douw shall Recover by Virtue of this act as a Reward for his care and trouble in performing the several services required of him by this act.

BE IT ENACTED by the authority aforesaid That if of the said managers shall happen to Die Remove out of Colony or refuse to Act it Shall and may be lawfull to and the Governor or Commander in Chief for the time being by with the advice and Consent of his Majesty's Council to appoint some other fit Person or Persons in the place and Stead of them So Dying removing or Refusing to act PROVIDED the Person or Persons who shall be appointed shall be bound to take the same Oath and enter into the like Recognizance with the like Sureties as herein is directed to be done by said managers and in all Respects be Subject to observe and perform the several Directions of this act

BE it Enacted by the same authority that the Treasurer keep and he is hereby required directed and ordered to keep Books of all his Receipts by Virtue of this Act And a true and just account thereof shall Render upon Oath UNTO the Governor or Commander in Chief for the time being the Council and the General Assembly when by them or any of them shall be thereunto required

[CHAPTER 1094.]

Chapter 1094, of Van Schaack, where the title only is printed. Chapter 1094, vol. 21 of Livingston & Smith, where the act is printed in full. Chapter 1071. Continued by chapter 1129.]

'An Act further to continue an Act Entitled "An Act for Billeting and Quartering his Majesty's Forces within this Colony"

[Passed, December 24, 1739.]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That the Act Entitled "An act for Billeting and Quartering his Majesty's Forces within this Colony" passed in the Thirtieth Year of his Majesty's Reign shall and hereby is continued and every Clause matter and thing therein contained Enacted to be and Remain of force to all intents and Constructions and purposes whatsoever Until the first of January One thousand Seven hundred and sixty one.

[Vol. IV. 47]

## [CHAPTER 1095.]

[Chapter 1095, of Van Schaack, where the title only is printed. Chapter 173 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapters 811 & 880. Continued by chapter 1240.]

An Act further to continue an act Entitled "An act to lay a Duty of Tonnage on the Vessels and for the time therein mentioned" together with one other Act therein mentioned

[Passed, December 24, 1759.]

WHEREAS an Act entitled "An act to lay a Duty of Tonnage on the Vessels and for the time therein mentioned" passed in the Eighth Year of his Majesty's Reign As likewise an other Act Entitled "An act further to continue an act Entitled An act to lay a duty of Tonnage on the Vessels and for the time therein mentioned with an explanation and addition thereto" Passed in the Twenty-fourth Year of his Majesty's Reign will both expire the first Day of January next and the General Assembly being willing for the Reasons in the said two Acts contained to continue the same for a Longer time.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same that the two Acts AFORESAID shall be and hereby are continued and every Clause Article, Matter and thing in the said two Acts contained Enacted to be and remain in full force and Virtue to all Intents Constructions and purposes whatsoever from the said day of January next untill the first Day of January which will be in the Year of our Lord One thousand seven hundred and Sixty five.

## [CHAPTER 1096.]

[Chapter 1096, of Van Schaack, and chapter 174 (vol. 2), Livingston & Smith, where the act is printed in full. See chapter 939. Continued by chapter 1322. Amended and validated by chapter 1149.]

An Act further to continue an Act Entitled "An act to prevent frauds in Debtors" together with the Act therein Mentioned.

[Passed, December 24, 1759.]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and General Assembly and it is hereby Enacted by the authority of the same That the Act Entitled "An act to pre-

vent Frauds in Debtors" and likewise the Act Intituled "An act to prevent frauds in Debtors with an addition thereto" the first passed in the Twenty fourth Year of his Majesty's Reign and the latter in the Twenty seventh Year of his Majesty's Reign shall be and hereby are continued and every clause Article Matter and thing in the said two acts contained Enacted to be and remain in full force Untill the first Day of January which will be in the year of our Lord One thousand Seven hundred and sixty seven

## [CHAPTER 1097.]

[Chapter 1097, of Van Schaack, where the title only is printed. Chapter 175 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 1072. Continued by chapter 1130.]

An Act to continue an act Entitled An act for the better apprehending & securing Deserters from his Majesty's Forces in America together with the act therein mentioned.

[Passed, December 24, 1759]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That the Act Entitled "An act for the better apprehending and securing Deserters from his Majesty's Forces in America" Passed in the Thirtieth Year of his Majesty's Reign As also another act Entitled "An act to Revive an act Entitled An Act for the better apprehending and securing Deserters from his Majesty's Forces in North America" Passed in the Thirty Second Year of his Majesty's Reign shall be and hereby are continued and every Clause Article matter and thing in the said two acts contained Enacted to be and Remain in full force from the first Day of January next untill the first Day of January which will be in the Year One thousand seven hundred and Sixty one

## [CHAPTER 1098.]

[Chapter 1098, of Van Schaack, and chapter 176 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 72.]

An Act to extend an act Entitled An act for preventing Trepasses to the County of Ulster

[Passed, December 24, 1759]

WHEREAS an act passed in the Eleventh Year of King William the Third for preventing Trepasses in which is a Clause

exempting the County of Ulster from the Privileges of the same

BE IT THEREFORE ENACTED by his Honor the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That the said act Shall after the Publication hereof extend to and be in force in the County of Ulster Notwithstanding the said Exempting Clause

[CHAPTER 1099.]

[Chapter 1099, of Van Schaack, where the title only is printed. Chapter 177 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 656. Continued by chapter 1227. Expired January 1, 1764. Provided for by chapter 1532.]

An Act to empower Justices of the Peace  
Mayors Recorders and aldermen to try Causes  
to the value of Five pounds and under and for  
Repealing an act therein Mentioned

[Passed, December 24, 1759.]

WHEREAS It has been found by experience in the Counties that have had the benefit of Trying Causes by Justices of the Peace to the Value of Five pounds and under to be greatly advantageous to the Inhabitants being thereby Enabled Speedily and at Small expence to come at Justice and it being apparent that the Cities and Borough will be equally benefited by having the same privilege for which they are very Sollicitous.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That all Actions Cases and Causes of Debt Trespass Trespass on the Case and Replevin wherein the Sum or thing demanded for Cause of Action shall not exceed the sum of Five Pounds (except such Actions as are hereby excepted) Shall after the first Day of January Next be and hereby are made Cognizable before any one Justice of the Peace of any of the Counties or the Mayor Recorder or aldermen of the Cities of New York and Albany and Borough of Westchester Respectively within this Colony and the said Justices Mayors Recorders or Aldermen are hereby Respectively empowered and Required upon application to either of them made for the Recovery of any such Debt or Demand to Issue a Summons or Warrant as the Case may require directed to the Constables or other proper officers or any one of them



of the City Borough Town Manor Precinct or District where the Defendant Dwells or can be found Commanding him to bring or cause such Defendant to come with the Plaintiff or his Attorney before him at the time and in the manner following, that is to say, in Case where such Process shall be in the Nature of a *Capias* forthwith after the service thereof but where the Summons shall be issued then on some certain Day therein to be expressed not LESS than six nor exceeding Twelve Days from the service of such Summons and at the time appointed for hearing such Cause or on such other Day as such Justice Mayor Recorder or Alderman shall think Reasonable to appoint not exceeding six Days the said Justice Mayor Recorder or Alderman shall proceed to hear and Examine the allegations and Evidences of the Plaintiff and Defendant and within Twelve Days thereafter give his judgment thereupon in such Manner as shall appear to him agreeable to Equity and Justice together with such Costs as are herein after allowed

AND BE IT ENACTED by the authority aforesaid that the Process against all Freeholders and Inhabitants having Family's shall be by summons only which shall be signed by the Justice Mayor Recorder or Alderman that granted it and served on the Person of the Defendant or a Copy thereof left at his or her House or place of abode in the presence of some of the Family of suitable age and Discretion (who shall be informed of the Contents thereof) at least Six Days before the time appointed for hearing and in Case the Defendant doth Not Appear at the time and place that shall be appointed in Such Summons then on Oath or affirmation made by the Constable or other officer that the said Summons was duly served in the manner aforesaid and no Sufficient Reason appearing to the said Justice Mayor Recorder or Alderman why the Defendant did not appear on the said Day appointed in the said Summons the said Justice Mayor Recorder or Alderman shall issue his Warrant and proceed in the same manner as above is directed

PROVIDED ALWAYS AND BE IT ENACTED by the authority aforesaid That if any such Plaintiff so applying shall upon Oath or affirmation declare that he or she does really and sincerely believe that if such process be only by summons against such Freeholder or Inhabitant having a Family he or she will be in danger of losing the Debt or Demand thereby or that he or SHE doth Really and sincerely believe that such Freeholder or Inhabitant will depart the City County or Borough or other-

wise abscond before such time then the said Justice Mayor Recorder or Alderman shall issue his Warrant in Such manner as if the Defendant had not been a Freeholder or Inhabitant having a Family And if any Defendant shall Require a longer time than is first appointed by the said Justice Mayor Recorder or Alderman and will if required give Sufficient security to appear and Stand Tryal on such other Day as shall be appointed then the said Justice Mayor Recorder or Alderman is hereby required and impowered to adjourn the Tryal of such Cause to any Day he shall think most convenient not exceeding twelve Days nor less than three from that time unless the Justice Mayor Recorder or Aldermen and Parties shall otherwise agree

AND BE IT ENACTED by the authority aforesaid that in every Action that shall hereafter be brought in this Colony by Virtue of this act it Shall and may be Lawfull for either of the parties to the Suit to demand of the said Justice Mayor Recorder or Alderman that such action be tryed by a Jury and upon Such demand the said Justice Mayor Recorder or Alderman is hereby Required and Commanded to issue a Warrant to the Constables or other officer of the City Borough Town Manor Precinct or District where the same may happen commanding them or him to bring or cause to come at such certain time and place as shall be in the warrant expressed six good and lawfull men of the City Borough or County Respectively being Freeholders or Freemen who appearing the said Justice Mayor Recorder or Alderman shall administer to each of them an Oath in the form following, (VIZt.) You shall well and truly try this matter in difference between A, B Plaintiff and C, D Defendant and a true Verdict Shall give according to Evidence SO HELP YOU GOD and after the six Persons have taken the oath aforesaid they shall sit together and hear the several Proofs and allegations of the parties which Shall be deliver'd IN publiek in their presence after which they shall be kept together in some convenient private place until they all agree upon a Verdict which shall be given in to the said Justice Mayor Recorder or Alderman who is hereby Required to give Judgment agreeable to such Verdict and to award Execution in the manner herein after directed the Costs of the Jury to be paid with the other Costs by the Party against whom their Verdict shall be found.

AND BE IT ENACTED by the authority aforesaid that if the Plaintiff in any such Suit or action shall be nonsuited or discontinue or withdraw his Suit without the leave of the De-

Defendant then Judgment shall be given against him for the Costs accrued or if he shall appear to be Indebted to the Defendant then Judgment shall be given against him for the Debt or Demand and Costs as the Case may require and whenever Judgment shall be given against either plaintiff or Defendant in any of the before mentioned Cases The Justice Mayor Recorder or Alderman that pronounced the said Judgment shall grant Execution thereupon directed to one of the Constables or other proper officer of the Said City Burrough Town Manor Precinct or District commanding him to levy the Debt or Demand and Costs on the goods and Chattles of the Person against whom such Execution shall be granted and for want of sufficient effects whereon to levy the Execution to take the Body of the Person against whom such Execution shall be granted and him or her convey and deliver to the Keeper of the common Goal of the City Borough or County Which Said Constable or other proper officer after his taking such goods and Chattles into his Custody (by Virtue of such Execution) shall give Publick Notice by an advertizement put up at the most publick place of the City Borough Town Manor Precinct or District where such goods shall be taken of the sorts of the goods and the time and place where and when they shall be exposed to sale at least five Days before the time appointed for selling them and at the time and place so appointed for selling THEM shall expose them to sale by publick Vendue to the highest Bidder and pay the money according as shall be directed in the Warrant or Writ of Execution and return the overplus if any be to the owner and for want of sufficient goods and Chattles whereon to levy the Execution the Constable or other proper officer to whom any such Execution shall be directed shall according to the Tenor of the said Execution take the Body of the Person against whom any such Execution shall be granted and Convey and deliver him or her to the Keeper of the common Goal of that City Borough or County which said Goal keeper is hereby commanded to keep Such Prisoner in his Safe Custody in the common Goal untill the Debt or Demand with the Costs shall be fully paid OR untill he or she shall be from thence delivered by due course of law PROVIDED NEVERTHELESS that no Execution of any Judgment given by Virtue of this act shall issue against any Freeholder in less than one or delayed longer than two months after giving the said Judgment Unless the party in whose Favour Judgment Shall be given shall make it appear to the said

Justice Mayor Recorder or Alderman on Oath or affirmation that he or she is in danger of loosing their Debt or Demand if Such delay be allowed In which case the Justice Mayor Recorder or Alderman Shall issue his Warrant of execution immediately as herein before directed Unless the party against whom such Judgment Shall be given shall thereupon give security to the Party in whose favour Judgment went to Pay the full of the Debt or Demand and Costs at or before the expiration of one month.

AND BE IT ENACTED by the authority aforesaid that if any Person or Persons whatsoever shall Commence Sue or Prosecute any Suit or Suits for any Debt or Demand made Cognizable as aforesaid in any other manner than is directed by this act and shall obtain a Verdict or Judgment thereon for Debt or Damages which without Costs of suit shall not amount to more than five pounds (not having caused an Oath or affirmation to be made before the obtaining a Writ and filed the same in the Clerks office THAT he she or they so making Oath or affirmation did Truly believe the Debt Due or damages Sustained exceeded the sum of five pounds) he she or they so prosecuting shall not Recover nor have any Costs in such Suit any law Usage or Custom to the Contrary in any wise Notwithstanding PROVIDED ALWAYS that neither this act nor any thing herein contained shall be deemed Construed or understood to extend to such actions wherein his Majesty his Heirs or successors may be concerned or where the Title of Lands shall any wise come in Question PROVIDED ALSO that nothing in this act shall extend to matters of account where the sum total of such account shall exceed in the amount or Value thereof the sum of Twenty Pounds and that no Justice of the Peace being a Tavern keeper shall Try any Cause by Virtue of this act at his own House any thing herein to the Contrary notwithstanding

AND BE IT ENACTED by the authority aforesaid that no greater or other Fees shall be allowed taxed or taken in actions brought in the manner by this act directed than as in this act is appointed to be taken (VIZ) JUSTICES Fees a summons Nine pence A Warrant One shilling and six pence a Judgment One shilling administering every Oath or affirmation six pence Every Execution One shilling and Six pence a summons for evidence six pence Issuing the Venire facias to summon a Jury One shilling swearing the Jury One shilling and six

peace EVIDENCES Attending on Summons or otherwise two shillings per day and so in proportion for a longer or shorter time CONSTABLE or other proper officer for serving every warrant or summons for one miles Travel or under one shilling every mile more six pence serving every Execution for Every pound two Shillings Summoning every Jury three shillings JURIES for all Causes tryed one Shilling per man when summoned and the Cause not Tryed six pence per man PROVIDED that the whole Costs to be Recovered or allowed in any one Cause or action Shall not exceed the sum of Forty Shillings AND PROVIDED that nothing therein contained shall extend to oblige such Justices of the Peace within this Colony as are Members of his Majesty's Council to take Cognizance of any Such Causes Matters or Things AS are by this act provided for but that they shall be at liberty at all times to act therein or not as to them shall seem fitting any thing herein contained to the contrary notwithstanding

AND BE IT ENACTED by the authority aforesaid that one certain act Entitled "An act for establishing and Regulating Courts to determine Causes of Forty Shillings and under in this Colony" passed in the Eleventh Year of his present Majesty's Reign Shall be immediately after the Commencement of this act Repealed and every Clause article matter and thing in the said act Contained hereby made null and Void during the Continuance of this act

AND BE IT FURTHER ENACTED by the authority aforesaid That this act be of Force from the first Day of January next untill the first Day of January which will be in the Year One thousand Seven hundred and Sixty Four.

#### [CHAPTER 1100.]

(Chapter 1100, of Van Schaack, and chapter 178 (vol. 2) of Livingston & Smith, where the act is printed in full.)

An Act to prevent the selling of Tickets in this Colony of any Lotteries Schemed or Erected in any other Colony

[Passed, December 24, 1739.]

WHEREAS the selling and disposing of Tickets taken out of Lotteries Erected and Schemed in the Neighbouring Colonies (which several persons have of late set on foot and practiced)



hath been found Manifestly prejudicial and of Pernicious Consequence to the Inhabitants of this Colony for prevention whereof for the future

BE IT ENACTED by his Honor the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That if any Person or Persons whatsoever after the Publication of this act shall presume to Sell or dispose of any Ticket or Tickets in this Colony taken out of or from the Lottery or Lotteries Erected or Schemed in any of the Neighbouring Colonies under whatsoever name Title or Denomination the same may pass He She or they shall Respectively forfeit and Pay for every Such Ticket so sold or disposed of as aforesaid the sum of Six pounds to be recovered by any Person or Persons who shall and will Sue for the same in any Court of Record within this COLONY One half of which forfeiture to be paid to the Informer and other half to the Church Wardens or overseers of the Poor of the City Town or Precinct where the Said forfeiture Shall happen

[CHAPTER 1101.]

[Chapter 1101, of Van Schaack, and chapter 179 (vol. 2), of Livingston & Smith, where the title only is printed. Expired January 1, 1761.]

An Act to Regulate the Collecting the Duty of Excise on strong Liquors retailed in this Colony from the first Day of January One thousand seven hundred and Sixty to the first of January one thousand seven hundred and sixty one

[Passed, December 21, 1759]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That Cornelius Clopper junior shall be and hereby is appointed Commissioner for Collecting the Duty of Excise of and from the several Retailers of strong Liquors within the City and County of New York from the first Day of January One thousand seven hundred and sixty to the first Day of January One thousand seven hundred & sixty One.

AND be it further Enacted by the Authority Aforesaid that the said Commissioner shall as soon after the Publication of this act as he shall Judge convenient appoint the several Re-

Retailers within the said City and direct and ascertain what each Retailer shall Pay for the said Duty from the first Day of January One thousand seven hundred and Sixty to the first Day of January One thousand seven hundred and Sixty one ALWAYS PROVIDED that the whole Sum to be laid on the several Retailers in the said City and County shall be the full and Intire Sum of Nine hundred and Fifty four Pounds with the additional Sum of One hundred Pounds for incidental charges and his Commissions which last is to be at the Rate of five per Cent For which Said Sum of One hundred Pounds he shall account on Oath And if it exceeds his Commissions and Incidental charges the Surplus thereof Shall be applied in case of the Next Years Excise and the Said Sum of Nine hundred and fifty four pounds shall by the said Commissioner be paid unto the Treasurer of this Colony on or before the first Day of January One thousand seven hundred and Sixty One.

AND be It further Enacted by the Authority Aforesaid That the several and respective Persons hereafter named shall be and hereby are appointed Commissioners for Collecting the Duty of Excise of and from the several and Respective Retailers within the several and Respective Counties of this Colony hereafter mentioned and the Harbours Bays and Rivers respectively thereunto adjoining and belonging VIZt

FOR the City and County of Albany the Mayor Recorder and Aldermen of the said City

FOR Kings County Abraham Bloom Esquire

FOR Queens County Benjamin Townsend

FOR Suffolk County Richard Floyd Hugh Gelston and Samuel Landon Esquires

FOR Westchester County Edward Stevenson Esquire

FOR Dutches County James G. Livingston and Bernardus Folkin

FOR Ulster County Capt. Jonathan Haasbrouck and Joseph Gusherie

FOR Orange County Major William Thompson and Johannes Boogert and

FOR Richmond County Jacob Reseau Hezekiah Wright & Joseph Beadle Esquires

AND be it Enacted by the authority aforesaid That the aforesaid severall and respective Commissioners or the Major part of them respectively shall as soon as conveniently they can after the Publication of this Act meet at the County Halls of their

several and respective Counties or at Such other place or places as they the said Commissioners shall respectively appoint for putting in execution the Powers and authorities given by this Act At which time or at such other times as they shall Judge necessary the said Commissioners or the Major part of them respectively shall for their own Counties severally and respectively fix the Number and appoint the several Retailers within their several and Respective Counties and direct & ascertain what each Retailer shall pay for the said Duty of Excise from the first Day of January One thousand seven hundred and Sixty to the first Day of January ONE thousand seven hundred and sixty one ALWAYS PROVIDED that the sum to be laid on the several Retailers in the City and County of Albany shall be the full and intire Sum of One hundred and Twenty seven Pounds with the sum of Thirteen Pounds in addition thereto for the charges of managing the same.

ON the several Retailers in Kings County the full and intire Sum of Forty pounds with the sum of Five pounds in addition thereto for the charges of managing the same

ON the several Retailers in Queens County the full and intire Sum of One hundred and Twenty five pounds with the sum of five pounds in addition thereto for the charges of managing the same

ON the several Retailers in Suffolk County the full and intire Sum of sixty pounds with the sum of nine pounds in addition thereto for the charges of managing the same

ON the several Retailers in Westchester County the full and intire sum of seventy Pounds with the sum of Ten pounds in addition thereto for the charges of managing the same

ON the several Retailers in Dutchess County the full and intire sum of Forty two Pounds with the sum of Eight pounds in addition thereto for the charges of managing the same

ON the several Retailers in Ulster County the full and intire Sum of Thirty Eight Pounds with the sum of Eight Pounds in addition thereto for the Charges of managing the same

ON the several Retailers in Orange County the full and intire Sum of Nineteen Pounds with the sum of Three pounds in addition thereto for the Charges of managing the same.

ON the several Retailers in Richmond County the full and intire Sum of Twenty five pounds with the sum of Thirty shillings in addition thereto for the charges of managing the same.

AND be It further Enacted by the authority aforesaid that the aforesaid several and respective Commissioners shall before they enter on the Execution of the Powers and authorities given by this Act enter into Recognizances unto our Sovereign Lord the King his Heirs and Successors before any Judge of the Supreme Court or of the Inferior Courts in the following sums that is to say

The said Cornelius Clopper Junior in the Penal Sum of One thousand Nine HUNDRED and Eight Pounds

The said Benjamin Townsend in the penal Sum of Two hundred and fifty Pounds.

The said Abraham Bloom in the Penal Sum of Eighty Pounds.

The said Richard Floyd Hugh Geltsen and Samuel Landon in the penal sum of One hundred and Twenty pounds.

The said Edward Stevenson in the penal Sum of One hundred and forty Pounds

The said James G. Livingston and Bernardus Filkins in the Penal Sum of Eighty four pounds.

The said Jonathan Haasbrouck and Joseph Gasherle in the Penal Sum of seventy six Pounds

The said William Thompson and Johannes Boogert in the Penal Sum of Thirty Eight Pounds

The said Jacob Roseau Hezekiah Wright and Joseph Beadle in the Penal Sum of Fifty pounds

CONDITIONED that they shall well and Truly Pay to the Treasurer of this Colony on or before the first Day of January which will be in the Year of our Lord One thousand seven hundred and sixty one the several and respective sums to be laid in manner as aforesaid on the several and respective Retailers within their several and Respective Counties exclusive of the several and Respective sums by this act allowed for the charges of management

AND be It further Enacted by the authority aforesaid that the aforesaid several and Respective Retailers shall Pay the aforesaid several and respective sums laid on or to be laid on them unto the aforesaid several and respective Commissioners on or before the first Day of December One thousand Seven hundred and sixty For securing which Payment the said Commissioners shall respectively oblige the said several and respective Retailers to give Such Security AS they the said Commissioners shall judge Necessary PROVIDED that such Retailers in the City of New York as shall be Rated three pounds

and under and such in the several Counties as shall be Rated at Thirty Shillings and under shall not be permitted to have liberty to Retail unless they immediately Pay the several and respective sums they shall be Rated at to the aforesaid Commissioners any thing herein before Contained to the contrary Notwithstanding

AND be it further Enacted by the authority aforesaid that in Case any Person or Persons whatsoever other than such as the said Commissioners shall permit shall presume to sell any strong Liquors by Retail directly or indirectly the offender or offenders shall for each Such offence forfeit the sum of six Pounds to be Recovered by the said Commissioner or Commissioners respectively on the Oath of any one Credible Witness in a summary Way in the Cities of New York and Albany before the Mayor or Recorder and one or more aldermen of the said Cities respectively and in the several Counties before any Justice of the Peace within the said County Respectively and if upon Conviction the said forfeiture be not paid the same shall be levied on the goods and Chattels of the offender or offenders by warrant or Warrants under the hands and seals of the Persons before whom such Conviction shall happen and if no goods and Chattels are found on which to distrain it shall be lawfull for the Persons who heard and determined the Cause to commit the offender or offenders to Goal without Bail or Mainprize for the Space of three months unless the Penalties are sooner discharged and the said respective Magistrates shall be and are hereby fully impowered directed and required to hear and determine those matters in the manner aforesaid and to give Judgment; and if need be to award Execution thereon and to Issue a Warrant or Warrants for the Commitment of the offenders as the case may require One third of which Forfeiture shall be to the Informer or Informers One third to the said Commissioners And one third to the POOR of the Town Manor or Precinct where the offence shall be committed to be paid into the hands of the Church Wardens or overseers of the Poor of the said respective Place or Places by the officer or officers by whom the same shall be levied any thing in any of the acts of this Colony to the contrary Notwithstanding

AND be it further Enacted by the authority aforesaid that the several Retailers who shall be permitted and allowed to Retail by the said Commissioner or Commissioners shall before they do so retail any strong Liquor enter into Recognizances



that is to say In the Cities of New York and Albany before the respective Mayors thereof and in the several Counties of this Colony before two Justices of the Peace in the Penal Sum of Twenty pounds with Sufficient Sureties in the like Sum conditioned to keep an orderly House according to Law during the time they shall be permitted to Retail as aforesaid and thereupon the said Respective Mayors or the said Justices Shall grant to Such Person or Persons who have entered into such Recognizance a Licence under his or their hands and Seals to Retail Strong Liquors in Such House and Place as shall be Mentioned therein during the continuance of this Act Which Recognizances are to be lodged by the Person or Persons before whom the same shall be taken VIZt In the Cities of New York and Albany with the Town Clerk and in the several Counties with the Respective Clerks thereof and upon Complaint of the breach of the said Condition it shall be lawfull for the said Mayors and Aldermen of New York and Albany or the greater Number of them and in the Counties for the Justices of the General and Special sessions of the Peace to Suppress the License or Licenses of such offender or offenders.

AND be it further Enacted by the authority aforesaid that in Case any of the Persons who shall be permitted to Retail Strong Liquors as aforesaid by the said Commissioner or Commissioners shall presume to Retail BEFORE a Licence be obtained or a Recognizance be Entered into to keep an Orderly House the Person So offending shall forfeit the Sum of Six Pounds for each offence to be Recovered in a Summary Way in the manner before directed one half thereof to the Informer or Informers and the other half to the poor of the Town Manor or Precinct where the forfeiture shall arise

AND that the expence of being Qualified to Retail may be within the bounds of Moderation BE IT ENACTED by the authority aforesaid that no more shall be taken for a Licence and Recognizance in the Cities of New York and Albany than the usual and accustomed Fees and in the Respective Counties than the sum of Three shillings.

And be it further Enacted by the authority aforesaid that such Persons (permitted to Retail as aforesaid by the said Commissioner or Commissioners) who Retail Strong Liquors not to be drank in their own houses but carried Elsewhere shall not be obliged to enter into Recognizances and take Licences as aforesaid Any thing contained in this act to the Contrary Notwithstanding

AND be it Enacted by the authority aforesaid that in Case all the several sums for which the Excise shall be let in the several and Respective Cities & Counties of this Colony shall fall Short of the Sums herein before Rated on the said Several and Respective Cities and Counties with the aforesaid incidental Charges of letting and Collecting the same then the Commissioner or Commissioners aforesaid where such deficiencies shall happen shall be and are hereby empowered to call the Retailers before them and assess and Rate such Sum and sums upon them as shall be sufficient to make up such Deficiency Which Said additional Sums shall be Collected and paid in the same manner with the several and Respective Sums first laid

AND be it further Enacted by the authority aforesaid that in Case of the Death of any of the aforesaid Commissioners the Surviving Commissioner or Commissioners where such Death may happen shall be and hereby is and are Intitled to the whole Reward and Vested with the same Powers and authority to execute this act as if no Such Death had happened and in case of the Death of all the Commissioners of any of the respective Cities and Counties then the Sheriff or Sheriffs for the time being of the Cities County or Counties where such Death may happen shall be and hereby is and are Vested with all the Powers and Authorities given to the Commissioners by this act shall be under the same Regulations and Intitled to the same Rewards to all Intents Constructions and Purposes whatsoever as if they had been particularly named and appointed in this act any thing in this act to the contrary Notwithstanding.

AND be it further Enacted by the authority aforesaid That all the monies to be paid the Treasurer of this Colony by Virtue of this Act shall be employed for and towards Cancelling the Bills of Credit Struck and Emitted upon the said Duty of Excise at the times and in the manner directed in and by an act Entitled "An act for the more effectual cancelling the Bills of Credit of this Colony" passed in the Twenty first Year of his Majestys Reign and to and for no other use whatsoever

AND be it further Enacted that the Retailers in the City of New York shall pay the Excise in three several payments or Sooner as the Commissioner and they shall agree PROVIDED ALWAYS that nothing in this Act Shall be Construed to make Void abridge or in any wise lessen the several Rights and Priviledges granted unto the Cities of New York and Albany by their respective Charters any thing contained in this act to the Contrary thereof notwithstanding.

## [CHAPTER 1102.]

[Chapter 1102, of Van Schunck, where the title only is printed. Chapter 190 (vol. 2) of Livingston & Smith, where the act is printed in full. Further continued by chapter 1133.]

**'An Act further to continue the Currency of the Bills of Credit Emittid by Virtue of an act Entitled "An act for Emittidg Bills of "Credit for the Payment of the Debts and for "the better support of the Government of this "Colony and other purposes therein Men- tioned"**

[Passed, December 24. 1759.]

WHEREAS an act entitled "an act for Emittidg Bills of "Credit for the Payment of the Debts and for the better Sup- "port of the Government of this Colony and other purposes "therein mentioned" passed in the Eleventh Year of his Maj- esty's Reign has by several Subsequent acts been Continued and prolonged untill the third Tuesday in April which will be in the Year of our Lord One thousand seven hundred and Sixty AND WHEREAS the circumstances of the Colony still require the aid of the Interest money arising on the Bills of Credit Issued by the act first aforesaid for supporting the Government thereof

BE IT THEREFORE ENACTED by his Honour the Lieuten- ant Governor the Council and the General Assembly and it is hereby enacted by the authority of the same That the time for which the said Interest money stands appropriated for the Sup- port of the Government of this Colony by the last Subsequent act aforesaid Entitled "An act further to continue the Currency of the Bills of Credit emittid by virtue of an act entitled an act for emittidg Bills of Credit for the Payment of the Debts and for the better support of the Government of this Colony and other purposes there- in Mentioned" shall be and hereby is deferred removed and further prolonged Untill the Third Tuesday in the Month of April which will be in the Year of our Lord One thousand seven hundred and Sixty one any thing in any of the aforesaid acts to the contrary notwithstanding And that at the time last men- tioned one fourth part of the said Bills of Credit and the re- mainder thereof in the next three Succeeding Years shall be paid

In Cancelled and Destroyed AT the times and in the manner directed in and by an act Entitled "An act for the more effectual cancelling the Bills of Credit of this Colony" passed in the Twenty first year of his Majesty's Reign And that as well the said first mentioned act as one other act Entitled "An act to facilitate and explain the Duty of the Loan officers in this Colony" Passed in the said Eleventh year of his Majesty's Reign and every the Clauses articles Matters and Things in them contained shall be and hereby are Enacted to Continue and remain in full force and Virtue to All Intents Constructions and purposes whatsoever until the Third Tuesday in April which will be in the Year of our Lord One thousand seven hundred and sixty four any thing in the said Acts to the Contrary Notwithstanding.

AND BE IT ENACTED by the authority aforesaid that the said Bills during the time they are hereby Enacted to remain Current shall continue to be put out at Interest in the same manner and Method as in the said first mentioned act is directed And that all the Interest money which may arise on them during that time shall from time to time be employed to and for the support of the Government of this Colony in such manner as shall by act or acts hereafter to be passed for that purpose be ordered and directed and not otherwise except so much thereof as may be Necessary for sinking and Cancelling the sum of Eight thousand and fifty Nine pounds fourteen shillings and Eleven pence Emittid in Bills of Credit by Virtue of the act first aforesaid for Paying the Debts then due from this Colony

AND BE IT ENACTED by the authority aforesaid that the Loan officers of the several Cities and Counties within this Colony for the time being shall be and hereby are fully impowered and authorized to alter the Form of all such Mortgages as Shall by them or any of them hereafter be taken in any of their offices in Relation to the time and times of Payment in such manner as to make the same answerable to the True Intent and meaning of this act any thing in any the aforesaid acts to the contrary notwithstanding.

AND BE IT ENACTED by the authority aforesaid that whenever the Loan officers of the several Cities and Counties within this Colony shall from the Information of any of the Supervisors in the Respective Counties of this Colony or from the Information of the Justices and Vestrymen of the City of New York or the Major part of them have sufficient Reason to Suspect the In-

sufficiency of any of the Securities taken or to be taken for any sums of Money Lent or to be lent out of any of their several offices either as to the Value or Title of the said securities they the said Loan officers shall be and hereby are impowered and Required to demand Payment of the principall sums notwithstanding the due Payment of the Interest thereof or further sufficient security and upon failure of the due Payment of such Principall sums or Refusing or neglecting to give further sufficient security within fourteen Days after Such Demand made to proceed to the sale of the Mortgaged Lands or to such other Remedy as is given by the first aforesaid act according to the Nature of the Case and therein to pursue the Rules and Directions prescribed in and by the said act anything therein contained to the Contrary notwithstanding.

AND BE IT FURTHER ENACTED by the authority aforesaid that if any of the Persons who became securiti-s for the Loan officers pursuant to the first aforesaid act shall be desirous of being discharged from continuing longer under their said Engagements they shall give notice thereof in Writing to the Supervisors of the respective Counties or to the Mayor and Aldermen of the Respective Cities where they stand engaged between the first Tuesday in February and the first Tuesday in March in the Year One thousand seven hundred and Sixty and the said Supervisors or Mayor and Aldermen Respectively shall immediately thereafter give Notice in Writing to the respective Loan Officers whose Sureties so desire to be discharged that he or they do by the first Tuesday in April then next following provide and give new Surety And in case any of the Loan officers aforesaid so Notified as aforesaid shall fail in giving new Surety to the Satisfaction of the SAID Supervisors or Mayor and Aldermen respectively by the said Day then the said Supervisors or Mayor and Aldermen respectively shall proceed to the choice of a new Loan officer or Loan officers in the Room and stead of such So failing and in their proceeding thereon shall pursue the Directors of the first aforesaid act with Respect to the Choice of New Loan officers in the several Cases therein mentioned any thing in this or the aforesaid acts to the contrary notwithstanding.



## [CHAPTER 1103.]

[Chapter 1103, of Van Schaack, where the title only is printed. Chapter 181 (vol. 2) of Livingston & Smith, where the act is printed in full. Continued by chapter 1244. Expired January 1, 1765.]

An Act to Restrain Hawkers and Pedlars  
from selling without Licence in this Colony

[Passed, December 24, 1760.]

**BE IT ENACTED** by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That from and after the first Day of January next there shall be answered and paid unto his Majesty his Heirs and Successors by every Hawker Pedlar petty-Chapman or other Trading Person or Persons going from Town to Town or to other mens houses and Traveling either on foot or with Horse or Horses or other Beasts of Burden or with any kind of Carriage or otherwise within this Colony of New York (except as hereafter is excepted) Carrying to sell or Exposing to Sale any Goods Wares and Merchandizes the respective Duties following that is to say Every Person or Persons going on foot as aforesaid and Carrying to sell or Exposing to sale any Goods Wares or Merchandizes a Duty of seven Pounds Ten shillings per Annum And every Person and Persons So Travelling with horse or Horses or other Beasts of Burden (except as hereafter is Excepted) Carrying to sell or Exposing to sale any Goods Wares or Merchandizes the like Duty of seven Pounds Ten Shillings per annum for each Horse or other Beast of Burden with which he or she shall so travel And for Every Waggon Cart sled or other Carriage the further sum of Five pounds per annum over and above the said sum of seven pounds Ten shillings for the said Pedlar and the said sum of seven pounds Ten shillings for each Horse or other Beast of Burden

**AND BE IT ENACTED** by the authority aforesaid That every Pedlar Hawker or petty Chapman and other Trading Person or Persons so Travelling as aforesaid within this Colony shall take a Licence from the Treasurer of this Colony for the time being and in order thereto shall deliver unto the said Treasurer a Note in Writing under his or her hand or under the hand of some Person by him her or them authorized in that behalf how and in what manner he or she will Travel and Trade Whether ON foot

or with one or more Horses or other Beast bearing or drawing Burden or with any sort of Carriage and according to such Notification he or she shall pay unto the Said Treasurer for the time being the full Sum or Sums abovementioned and upon Payment thereof to the said Treasurer he is to give a Licence under his hand and Seal to the Person or Persons making such Payment to travel with his or her Wares for Sale for the term of one Year either Single or with one or more Horses or with a Carriage according to the sum of money paid by such Person or Persons for which License there shall be paid by the Person to whom the same shall be granted the sum of three shillings and no more Over and above the Duties aforesaid and which License and method of Obtaining and granting thereof shall be good and effectual and that the Treasurer for the time being shall keep a distinct account of the Duties to be received by Virtue of this act

AND BE IT ENACTED by the authority aforesaid That if any such Hawker Pedlar Petty Chapman from and after the said first Day of January next and during the continuance of this Act be found Trading as aforesaid without or contrary to such License such person Shall for each and every such offence forfeit and pay the sum of Fifty pounds Current money of this Colony The one moiety thereof to the Informer and the other Moiety to the poor of the Town or place wherein such offender shall be discovered and that every Person so trading who upon demand made by any Justice of the peace Sheriff Constable or any other person within this Colony where he or she shall so Trade shall Refuse to produce or shew his her or their License for so trading to be granted as aforesaid That then Person so Refusing shall forfeit five pounds to be paid to the overseers of the Poor where such demand shall be made to the use of the Poor of the place and for Nonpayment thereof shall suffer one Months Imprisonment

AND BE IT FURTHER ENACTED by the authority aforesaid That if ANY Person or Persons shall forge or Counterfeit any Licence or Licences to Travel with Such forged or Counterfeited Licence for the purposes aforesaid Such Person Shall forfeit the sum of Fifty pounds One Moiety thereof to his Majesty his Heirs and Successors to be applied as the Governor or Commander in Chief for the time being the Council and the General Assembly of this Colony shall hereafter think fit and the other half to him or them that shall prosecute or sue for the

same to be recovered by Action of Debt Bill Plaint or Information, in the supreme or any of the Inferior Courts of this Colony in which No essoin Protection Wager of Law or more than one Impurance shall be allowed.

AND BE IT FURTHER ENACTED by the authority aforesaid That if any Person or Persons Shall be sued Molested or Troubled for putting in Execution any of the powers contained in this act or for doing any matter or thing pursuant thereto Such person or Persons shall and may plead the General Issue not Guilty and give the special Matter in Evidence and if the plaintiff or plaintiffs shall become Nonsuit or discontinue his or their action or if a Verdict Shall pass against him or them the Defendant shall Recover Treble Costs for which Execution shall Issue in Such a manner as in other Cases where Costs are allowed to Defendants.

AND BE IT FURTHER ENACTED by the authority aforesaid That it Shall and may be lawfull for any Person or Persons whatsoever to seize and detain any such Hawker Pedlar or petty Chapman or other Trading Person or Persons as aforesaid who shall be found Trading without a Licence contrary to the true Intent and meaning of this Act And him her or them so seized to carry before one or more of his Majesty's Justices of the Peace of the County or place where such offence or offences shall be committed Which Said Justice or Justices of the peace is and are hereby Authorized and Strictly Required (either UPON the Confession of the party offending or due proof of any one or more Credible Witnesses upon Oath Which Oath he or they is and are hereby Impowered to administer that the person so brought before him or them had So Traded as aforesaid And if no such Licence shall be produced by such offender before the said Justice or Justices) by Warrant under his or their hands and seals or under the hand and seal of one of them to cause the said Sum of Fifty pounds to be forthwith levied by Distress and sale of the offenders goods Wares or Merchandizes Rendering the Overplus if any be to the owner or owners thereof After true Deduction for the Reasonable Charge of taking the said Distress and out of the sale to Pay the said Respective penalties and forfeitures aforesaid

AND in order to prevent the giving of Unnecessary Trouble to any Person or Persons who shall suspect any such Hawker Pedlar Petty Chapman or other Trading Person Trading without Licence BE IT ENACTED BY THE AUTHORITY AFORE-

**SAID** That upon Refusal of producing such Licence to any Person or Persons demanding the Same and it be afterwards produced to the Justice or Justices such offenders for Such Refusals shall forfeit and Pay to the Person or Persons demanding the Same the sum of Thirty Shillings Current money aforesaid

**AND BE IT FURTHER ENACTED** by the authority aforesaid that the monies to arise by Virtue of this Act shall be applied as the Governor or Commander in Chief for the time being the Council and the General Assembly of this Colony shall hereafter think fit and not otherwise.

**PROVIDED ALWAYS AND BE IT ENACTED** by the Authority aforesaid that neither this act nor any thing therein contained shall extend to prohibit any Person from selling any Fish Fruit or Victuals or to hinder any Person OR Persons who are the Real Workers or makers of any Goods or Wares of his her or their own manufacturing in any publick market Fair or Elsewhere nor any Tinker Glasier Cooper Plummer Taylor or other Person Usually Trading in mending or making of Cloathe Kettles Tubs or household goods Whatsoever from going about and Carrying with him or them proper materials for Making and mending the Same

**PROVIDED ALSO AND BE IT ENACTED** by the authority aforesaid That neither this act nor any thing therein contained shall extend or be Construed to give any power for the Licencing any Hawker Pedlar or Petty Chapman to sell or expose to Sale any Wares or Merchandizes in the Cities of New York and Albany any thing herein contained to the Contrary Notwithstanding

**PROVIDED LIKEWISE** that any Person or Persons coming to any Town or Towns with a Cargo of Goods and Merchandizes and bringing the Same into a house in Such Town where they are to lodge or Reside at least the Space of Thirty Days and disposing of their goods or Merchandizes in Such house only Such Person or Persons shall Not be deemed a Hawker Pedlar or Petty Chapman within the meaning of this act Any thing therein to the Contrary Notwithstanding

**THIS** act to continue in force from the first Day of January next to the first Day of January which will be in the Year of our Lord One thousand Seven hundred and Sixty five.

## [CHAPTER 1104.]

[Chapter 1104, of Van Schaack, where the title only is printed. Chapter 182 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 941. Continued by chapter 1259.]

An Act to continue an act Entitled An act to enable the Mayor Deputy Mayor Recorder and Aldermen of the City of New York for the time being or the major part of them to raise a Tax for mending and keeping in repair the Publick Wells and Pumps in the said City to the South of Fresh Water and other purposes therein Mentioned."

[Passed, December 24, 1759.]

WHEREAS an act Entitled "An act to enable the Mayor Deputy Mayor Recorder and Aldermen of the City of New York for the time being or the Major part of them to Raise a Tax for mending & Keeping in Repair the Public Wells and Pumps in the said City to the south of Fresh Water and other the purposes therein mentioned" Passed in the Twenty seventh year of his present Majesties Reign will expire by its own Limitation on the first Day of January next and the said act being found necessary & usefull

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That the said act and every article Clause matter and thing therein Contained shall be and hereby is continued and to be and remain in full force to all Intents Constructions and Purposes whatsoever from the Publication hereof untill the first Day of January WHICH will be in the Year one thousand Seven hundred and Sixty five.

## [CHAPTER 1105.]

[Chapter 1105, of Van S. Lark, where the title only is printed. Chapter 183 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 951. Rendered more effectual as to Orange county by chapter 1203. Expired January 1, 1763. Provided for by chapter 1259.]

An Act further to continue An Act Entitled AN act for the destroying of Wolves and Panthers in the Counties of Ulster Dutchess and Orange.

[Passed, December 24, 1759.]

WHEREAS the act for the destroying of Wolves and Panthers in the Counties of Ulster Dutchess and Orange Passed in



the sixteenth year of his Majesty's Reign and continued by several Subsequent Acts has been found usefull

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That the said Act shall be continued in full force 'till the first of January which shall be in the Year One thousand seven hundred and Sixty five.

[CHAPTER 1106.]

[Chapter 1106, of Van Schanck, and chapter 181 of Livingston & Smith, where the act is printed in full. Expired as to Orange county, January 1, 1770. Provided for by chapter 1456. Continued so far as it relates to Ulster county by chapter 1420.]

An Act to prevent Damages by swine in the County of Orange and some parts of Ulster County.

[Passed, December 24, 1759.]

WHEREAS Several acts have been passed for preventing Damages by swine Which by experience have been found beneficial and as the last act for that purpose will expire the first Day of January next.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That from and after the first Day of January One thousand seven hundred and sixty it Shall and may be lawfull For all and every the Inhabitants living in the County of Orange and in the Township of the New Paltz and the Neighbourhood thereunto annexed and in the Precincts of Shawangunck Walkill and Highlands in Ulster County from time to time and at all times thereafter during the Continuance of this act to take Keep or Impound (In any Pound or place within the said County of Orange and in any pound or place in the Township of the New Paltz and the Neighbourhood thereunto annexed and in the Precincts of Shawangunck Walkill and Highlands) All such Swine great or small which Shall go at large and get into their or either of their Cornfields Orchards Gardens Meadows and other Inclosures Contrary to the True Intent and Meaning of this act Until the owner or owners of such Swine Shall Pay and Satisfy to the Person or Persons who shall so take or Impound them the sum of Three Shillings FOR the Trespass of every such Swine beside the Damages such Person or Persons shall have sustained by means or Reason of

such Trespass or Trespases which damages shall be ascertained by any Three Freeholders within the said County Town and Precincts or the major part of them

AND BE IT FURTHER ENACTED by the authority aforesaid that in Case the owner or owners of such Swine so taken kept or Impounded as aforesaid shall or Will not within Twenty four hours after Notice of such taking keeping or Impounding Redeem his her or their Swine by paying the penalties imposed by this Act That in such Case it Shall and may be Lawfull for the Person or Persons So taking and Impounding Such Swine to expose them to open Sale to the highest Bidder and the money arising by such Sale to dispose of The one half to his her or their own proper use and the other half to the overseers of the Poor of the Town or Precinct where such Sale shall happen for the use of the Poor within the same

AND BE IT FURTHER ENACTED that if the owner or owners of Such Swine Impounded by Virtue of this Act be not known the Person impounding the same shall advertise the said Swine in the most publick part of the Town or Precinct for four Days and if then the owner Shall not appear to redeem them the said Swine shall be sold in the Same manner as if notice had been given as above directed.

THIS act to Continue and be in force from the first Day of January One thousand Seven hundred and Sixty untill the first Day of January One thousand and seven hundred and seventy and no longer.

#### [CHAPTER 1107.]

[Chapter 1107, of Van Schanck, where the title only is printed Chapter 185 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 1005. Continued by chapter 1251.]

An Act to continue an act Entitled "an act to encourage the taking and destroying of Wild Cats in the County of Suffolk

[Passed, December 24, 1759.]

BE IT ENACTED by his Honor the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same that the act Entitled "an act to encourage the taking and destroying of Wild Cats in the County of Suffolk" Passed in the Twenty ninth Year of his Majesty's Reign Shall be and hereby is continued and every Clause article matter and thing therein Contained Enacted to be and remain

of force from the first Day of January next Untill the first Day of January which will be in the Year of our Lord One thousand seven hundred and Sixty five

[CHAPTER 1108.]

[Chapter 1108, of Van Schaack, where the title only is printed. Chapter 188 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 1081. Continued by chapter 1207.]

An Act to continue an act Entitled "An act to restrain the feeding and burning the Grass and Cutting the Timber on certain Beaches and Islands therein mentioned "

[Passed, December 24, 1759.]

BE IT ENACTED by his Honor the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That the act Entitled "An act to restrain the feeding and Burning the Grass and Cutting the Timber on certain Beaches and Islands therein Mentioned " Passed in the Thirty second Year of his Majesty's Reign Shall be and hereby is continued and every Clause Matter and thing therein contained Enacted to be and remain of force from the Thirtieth of April next to the first Day of January which will be in the Year of our Lord One thousand seven hundred and Sixty three

[CHAPTER 1109.]

[Chapter 1109 of Van Schaack, where the title only is printed. Chapter 187 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 890. Expired January 1, 1770.]

An Act further to continue an act Entitled  
"An act to encourage the destroying of Wolves  
" in the County of Albany."

[Passed, December 24, 1759.]

WHEREAS an act Entitled "an act to encourage the destroying of Wolves in the County of Albany " passed in the Twenty fourth Year of his Majesty's Reign will expire by its own limitation on the first Day of January next and the said act having been found by experience to be very useful and Beneficial to the Said County

BE IT THEREFORE ENACTED by his Honor the Lieutenant Governor the Council and the General Assembly and it is hereby

Enacted by the authority of the Same that the above mentioned act Entitled "an act to encourage the destroying of wolves in "the County of Albany" Shall be and hereby is continued and every Clause Article and thing therein Contained to be and remain of Force untill the first Day of January which will be in the Year of our Lord One thousand seven hundred and seventy

[CHAPTER 1110.]

[Chapter 1110, of Van Schaack, and chapter 183 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act to Impower and Enable the Mayor Recorder and Aldermen of the City of New York for the time being or the major part of them to order the Raising a Sum not exceeding Twelve hundred Pounds by a Tax on Estates Real and Personal in the said City.

[Passed, December 24, 1759.]

WHEREAS the very extraordinary expence of finishing the New Goal, Purchasing the Island commonly called Bedlows Island and Building a Pest house thereon Defraying the unavoidable charges of the Corporation together with the heavy expence of Firewood Blankets Candles and other Necessaries for his Majesty's Troops Quartered in this City have not only laid it under the disagreeable necessity of taking large sums of money on Interest but have Rendered it Unable without the aid of the Legislature to carry the said service through as the publick welfare Requires

BE IT THEREFORE ENACTED by his Honor the Lieutenant Governor the Council and the General Assembly and it is hereby enacted by the authority of the same That the Mayor Recorder and Aldermen of the City of New York for the time being or the major part of them Whereof the Mayor or Recorder to be one shall have full power and Authority and are hereby fully Impowered and authorized on the Second Tuesday in January next to order the Raising a Sum not exceeding Twelve hundred pounds by a Tax UPON the Estates Real and Personal of all and every the Freeholders Freemen and Inhabitants Residents and Sojourners within the City of New York towards Payment of the extraordinary expences and Charges aforesaid and add the same to the sum which Shall be raised for the Minister and Poor of the Said City which Tax so to be laid shall

ated and assessed at the same time and by the Vestrymen shall Rate and assess the Tax for the minister & Poor of said City and shall be Rated together in one assessment made by the whole The Vestrymen first taking the Oath prescribed and taken in and by an act Entitled "An act to enable the inhabitants of the City of New York to Chuse two Vestrymen in each Respective Ward within the said City" made and passed in the nineteenth Year of his present Majesty's Reign the said Tax so to be made shall be Collected levied and paid at the same time and in the same manner as the Tax for the maintenance of the Minister and Poor of the said City hath been accustomed and by act or acts of this Colony is or are directed and Injoined to be Collected levied and paid into the hands of the Church Wardens of the said City for the time being Who shall be accountable for the same to the said Mayor Recorder and aldermen or the Major part of them Whereof the Mayor or Recorder to be one and Pay the same by Warrant or Warrants under their hands and seals or the hands and seals of the Major part of them whereof the Mayor or Recorder to be one directed to the said Church Wardens according to the purport and Tenor of such Warrant or Warrants.

AND BE IT FURTHER ENACTED by the authority aforesaid That over and above the said Sum of Twelve hundred pounds to be Levied and Paid by Virtue of this ACT the sum of Three pence in the Pound as a Reward to the Constables for their extraordinary Trouble, shall be assessed Levied and paid to the respective Constables for Collecting and Paying the same and more according to the True Intent and meaning of this act any thing herein or in any other act or acts Contained to the contrary hereof in any wise notwithstanding.

AND BE IT FURTHER ENACTED by the authority aforesaid That If the said Mayor Recorder or aldermen the Church Wardens Vestry Men or Constables of the City of New York shall fail or neglect to do the said things therein directed or Required to be done who are hereby authorized Impowered and Required to take effectual Care that this act be Executed according to the True Intent and meaning thereof or any one of them shall be liable to be Refused or Delayed to perform Execute and Comply with any or any of the powers authorities and Duties in this act directed and Required to be done and performed by them, or any one of them and thereof shall be Lawfully Convicted in any Court of Record in this Colony he or they so Denying or Refusing to perform the Duties as aforesaid Shall suffer such



Pains and Penalties by fine and Imprisonment as by the discretion of the Justices of the said Court shall be adjudged to be sued for and Recovered by the Person or Persons aggrieved thereby or by any other Person or Persons who shall sue for and prosecute the same to effect

[CHAPTER 1111.]

[Chapter 1111, of Van Schaack, where the title only is printed. Chapter 189 (vol. 2) of Livingston & Smith, where the act is printed in full. Continued by chapter 1252.]

An Act further to continue an act Entitled  
An act to prevent Damages by Swine in  
Dutchess County

[Passed, December 24, 1753]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That "an act to prevent Damages by swine in Dutchess County" passed in the Nineteenth Year of his present Majesty's Reign and continued by a Subsequent act but which will expire on the first Day of January Next Shall be further continued in full force untill the first of January Which Shall be in the Year One thousand seven hundred and Sixty five

[CHAPTER 1112.]

[Chapter 1112, of Van Schaack, where the title only is printed. Chapter 190 (vol. 2) of Livingston & Smith, where the first 15 paragraphs of the act are printed.]

An Act for levying Paying and Cloathing  
Two thousand six hundred and Eighty effective men officers included for forming an Army of Twenty thousand men with the Forces of the Neighbouring Colonies to Reduce in Conjunction with his Majesty's Regular Troops Montreal and other Posts belonging to the French in Canada For Emitting Bills of Credit for the sum of Sixty thousand Pounds and for sinking and Cancelling the said Bills in Short periods.

[Passed, March 22, 1750.]

WHEREAS his Majesty hath been pleased to direct an Expedition against the French by an Irruption into Canada by an

Army of Provincial Forces in Conjunction with a Body of his Majesty's British Troops in order to reduce Montreal and all other Posts belonging to the French in those parts And this his Majesty's loyal Colony being heartily disposed to exert itself to its utmost in assisting on this So great and Interesting Occasion

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That for and towards levying Paying and Cloathing Two thousand Six hundred and Eighty effective men officers included to act in the said Expedition with the Forces of the Neighbouring Colonies and a Body of his Majesty's British Troops there be given and granted unto his Majesty his Heirs and Successors the sum of Sixty thousand Pounds Which shall be assessed Raised and Levied upon the Estates Real and Personal of all and every the Freeholders Inhabitants and Residents within this Colony and shall be collected and paid in manner following that is to Say the sum of seven thousand five hundred Pounds on or before the first Tuesday in November in this present Year of our Lord One thousand seven hundred and Sixty The like Sum of seven thousand Five hundred Pounds on or before the first Tuesday in November which will be in the year OF our Lord One thousand seven hundred and Sixty one The like Sum of seven thousand five hundred Pounds on or before the first Tuesday in November which will be in the Year of our Lord One thousand seven hundred and sixty two The like sum of seven thousand five hundred Pounds on or before the first Tuesday in November which will be in the year of our Lord One thousand seven hundred and Sixty three The like sum of seven thousand five hundred Pounds on or before the first Tuesday in November which will be in the year of our Lord One thousand seven hundred and Sixty four The like Sum of seven thousand five hundred Pounds on or before the first Tuesday in November which will be in the Year of our Lord one thousand seven hundred and sixty five The like Sum of seven thousand five hundred Pounds on or before the first Tuesday in November which will be in the year of our Lord One thousand Seven hundred and sixty six And the like sum of seven thousand five hundred Pounds on or before the first Tuesday in November which will be in the Year of our Lord One thousand seven hundred and Sixty seven WHICH said several sums of seven thousand five hundred Pounds hereby appointed to be paid on the Days and times above mentioned shall

be Yearly Raised Levied and Paid by the Freeholders Inhabitants and Residents in the several Cities and Counties within this Colony during the Eight Years above mentioned according to the Quotas and proportions following, that is to say,

IN the City and County of New York Yearly during the above mentioned time the sum of Two thousand dve hundred Pounds.

IN the City and County of Albany Yearly during the said time the sum of One thousand two hundred & fifty pounds

IN Kings County Yearly during the said time the sum of Three hundred and Twenty three Pounds

IN Queens County Yearly during the said time the sum of six hundred and sixty nine Pounds Ten shillings

IN Suffolk County Yearly during the said time the sum of Five hundred and seventy five pounds

IN the County of Richmond Yearly during the said time the sum of Two hundred and three Pounds.

IN the County of Westchester Yearly during the said time the sum of Six hundred and sixty nine Pounds Ten Shillings

IN the County of Ulster Yearly during the said time the sum of Five hundred and Seventy five Pounds

IN Dutchess County Yearly during the said time the sum of Five hundred and Thirty five Pounds And

In the County of Orange Yearly during the time the sum of Two hundred Pounds

AND to the end the full sum intended by this act may be effective and Complete BE IT ENACTED by the authority aforesaid that over and above the several Quota's abovementioned there shall be Raised assessed Levied and Collected the respective sums following, that is to say, On the Quota for the City and County of New York the sum of three pence over and above every pound to be retained in the hands of the several Collectors as a Reward for their trouble in Collecting and paying the same to the Treasurer of this Colony And on the Quota's for the City and County of Albany and all the other Counties in this Colony the sum of Eight pence over and above every Pound out of which the several Collectors may Retain in their hands the sum of six pence on Each Pound for Collecting and paying the same to the several County Treasurers and the remaining two pence the County Treasurers Respectively may retain in their hands as a Reward for their Trouble and service In Receiving and Paying the monies arising by this act to the Treasurer of this Colony

Army of Provincial Forces in Conjunction with a Body of his Majesty's British Troops in order to reduce Montreal and all other Posts belonging to the French in those parts And this his Majesty's loyal Colony being heartily disposed to exert itself to its utmost in assisting on this So great and Interesting Occasion

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That for and towards levying Paying and Cloathing Two thousand Six hundred and Eighty effective men officers included to act in the said Expedition with the Forces of the Neighbouring Colonies and a Body of his Majesty's British Troops there be given and granted unto his Majesty his Heirs and Successors the sum of Sixty thousand Pounds Which shall be assessed Raised and Levied upon the Estates Real and Personal of all and every the Freeholders Inhabitants and Residents within this Colony and shall be collected and paid in manner following that is to Say the sum of seven thousand five hundred Pounds on or before the first Tuesday in November in this present Year of our Lord One thousand seven hundred and Sixty The like Sum of seven thousand Five hundred Pounds on or before the first Tuesday in November which will be in the year OF our Lord One thousand seven hundred and Sixty one The like Sum of seven thousand five hundred Pounds on or before the first Tuesday in November which will be in the Year of our Lord One thousand seven hundred and sixty two The like sum of seven thousand five hundred Pounds on or before the first Tuesday in November which will be in the year of our Lord One thousand seven hundred and Sixty three The like sum of seven thousand five hundred Pounds on or before the first Tuesday in November which will be in the year of our Lord One thousand seven hundred and Sixty four The like Sum of seven thousand five hundred Pounds on or before the first Tuesday in November which will be in the Year of our Lord one thousand seven hundred and sixty five The like Sum of seven thousand five hundred Pounds on or before the first Tuesday in November which will be in the year of our Lord One thousand Seven hundred and sixty six And the like sum of seven thousand five hundred Pounds on or before the first Tuesday in November which will be in the Year of our Lord One thousand seven hundred and Sixty seven WHICH said several sums of seven thousand five hundred Pounds hereby appointed to be paid on the Days and times above mentioned shall

corder and aldermen or the Major part of them so met are hereby empowered Required and directed to administer

AND for the effectual assessing Collecting and Paying the Respective Quota's for the City and County of Albany and all the other Counties in this Colony together with the before mentioned allowance to the Collectors and County Treasurers BE IT ENACTED BY THE AUTHORITY AFORESAID that the Supervisors of the said City and County and of all the other respective Counties in this Colony or the Major part of them Respectively shall meet on the first Tuesday in June every Year during the said term of Eight Years where the majority of the supervisors then met shall cause the respective Quota's and allowances aforesaid of each County to be raised Assessed Levied and Collected in the same manner as the other necessary and Contingent charges thereof are and the respective Collectors are hereby required and Enjoyed to Pay the respective Quota's to be by them Collected unto the Respective County Treasurers on or before the first Tuesday in October Yearly and every Year during the said Term And each of the said County Treasurers are hereby Enjoyed and Required to Pay the respective Quota's of their Counties to the Treasurer of this Colony on or before the first Tuesday in November then next following during the said term

AND be It further Enacted by the authority aforesaid that in Case any of the Collectors shall Neglect or delay to make their respective Payments to the Respective County Treasurers for the space of three months next after the times appointed by this act the said County Treasurers shall be and hereby are Enabled directed and Required to Commence actions in their own names Respectively for the said Sum or Sums or Such part thereof as shall be then unpaid in the County Court where such default shall happen and prosecute the same to effect and in Case any of the County Treasurers Respectively shall neglect their Respective Duties herein all such Sum or Sums of money shall be deemed taken and esteemed assets in their hands respectively and they shall be charged therewith as having received the same by the Treasurer of this Colony who shall be and he is hereby Enabled directed and Required in his own name to commence actions for the same in the Supreme Court of this Colony within one month after such default made by any of the County Treasurers Respectively and prosecute the same to effect And in case the Treasurer of this Colony shall neglect



his duty herein all such Sum or Sums of money so being unpaid shall be deemed taken and Esteemed Assets in his hands and he shall be chargeable therewith as if he had actually received the same And in case any of the Collectors of the City and County of New York shall Neglect or delay making their Payments of the aforesaid Tax for one Month after the time DIRECTED by this act the said Treasurer shall be and hereby is enabled directed and required in his own name to commence actions against such defaulter or defaulters and prosecute the same to effect and in default of such Prosecution the money so unpaid shall be deemed taken and esteemed assets in his hands as if he had actually Received the same any Law Usage or Custom to the Contrary notwithstanding

AND BE IT ENACTED by the authority aforesaid That such Mayor Recorder Aldermen Supervisors Assessors Collectors or County Treasurers respectively within this Colony as shall deny Refuse Neglect or delay to do perform and Execute all or any of the powers duties and authorities by this act Required of him or them to be done and shall thereof be lawfully Convicted in any of his Majesty's Courts of Record in this Colony he or they shall suffer such pains by fine or Imprisonment as by the discretion of such Court or Courts shall be adjudged

AND BE IT ENACTED by the authority aforesaid that for making immediate payment for the services aforesaid Bills of Credit to the Value of Sixty thousand Pounds be forthwith Printed made and issued upon the Credit of the Money to be Raised and Levied by virtue of this act and Lodged in the treasury for that purpose That is to say Two thousand and five hundred Bills of Ten Pounds each Three thousand Bills of Five pounds Each and Ten thousand Bills of two pounds Each And upon every and each of which Bills shall be impressed on the right side thereof the arms of the City of New York and under the Arms in different Characters these Words 'Tis DEATH TO COUNTERFEIT THIS BILL Which Bills shall be in the forms following. that is to Say Two thousand five hundred of them thus By a Law of the Colony of New York this Bill shall pass Current for Ten pounds New York the Twenty first Day of April One thousand seven hundred and sixty Other three thousand of them thus By a Law of the Colony of New York this Bill shall pass Current for Five pounds New York the Twenty first day of April One thousand seven hundred and sixty And Ten thousand of them thus By a law of the Colony of New

York this Bill shall pass current for two pounds New York the Twenty first day of April One thousand seven hundred and Sixty. Which BILLS shall be signed by Messieurs John Bogert junior Robert G. Livingston, Elias Desbrosses and John Van Horne or any three of them and numbered by any one of them and in case of the Death of any of the said Persons the said Bills Shall be signed by the survivors.

AND BE IT ENACTED by the authority aforesaid That Abraham De Peyster Esquire the present Treasurer of this Colony in whose hands the stamps of the arms of the City of New York and the other plates are deposited shall in the presence of the signers aforesaid or the Major part of them deliver unto William Weyman the said Stamps and plates who is hereby appointed to Print the Said Bills and on them to impress the Said Arms and Plates Which when done the said William Weyman shall Redeliver to the said Treasurer the said Stamps and plates in the presence effectually Current as any other of the signers aforesaid or the major part of them and the Receipt of the said Treasurer shall be to the said Printer a Sufficient discharge for the same and the said Printer is hereby Required and directed to deliver to the signers hereby appointed to sign the said Bills every Bill of Credit by him Printed and Shall upon his delivery of the said Bills take an Oath in the Words following Vixt I. A. B do declare that from the time the Letters were set and fit to be put into the Press for printing the Bills of Credit now by me delivered unto you 'till the Bills were Printed and the Letters afterwards distributed into the Boxes I went at no time out of the Room in which the said Letters were without locking them up so that they could not be come at without Violence a false Key or other art then unknown to me And therefore to the best of my knowledge no Copies were Printed off but in my presence and that all the blotters and other Papers Whatsoever Impressed by the said Letters whilst set for Printing the said Bills to the best of my Knowledge are here delivered unto you together with the Stamps and in all things relating to this affair I have well and truly demeaned my self according to the true intent and meaning of the Law in that Case made to the best of my Knowledge and understanding SO HELP ME GOD Which oath all or every of the signers are hereby Impowered directed and required to administer

AND BE IT FURTHER ENACTED by the authority aforesaid that the Persons HEREIN appointed to sign the Said Bills

of Credit shall take an Oath before a Magistrate of the City of New York each of them Well and truly to perform what by this Act they are enjoyned as their Duty and will knowingly sign no more Bills of Credit than as by this act is directed And if it shall happen that any supernumerary Bills shall be left after the said number shall be delivered to the said Treasurer in manner aforesaid all such Supernumerary Bills shall be burnt and destroyed by the said signers or the Major part of them or by the Majority of the survivors of them in the presence of the Treasurer of this Colony

AND BE IT ENACTED by the authority aforesaid that the Bills of Credit Enacted and appoiated by this act to be Current shall be Received by the Treasurer of this Colony in all publick payments and for any Fund at any time in the Treasury and by any Person within this Colony in all Cases whatsoever during the time they are Enacted to continue and be as effectually Current as any other Bills of Credit made Current in this Colony by any act of the Governor Council and General Assembly

AND BE IT ENACTED by the authority aforesaid that if any Person or Persons whatsoever shall Counterfeit any of the Bills of Credit made Current by this act or shall alter any of the Bills made Current as aforesaid so that they shall appear to be of greater Value than by this Act the same Bill or Bills so altered were Enacted Signed or Numbered to pass current for or shall Knowingly Pass or give in Payment any of the Bills aforesaid so Counterfeited or altered, every Person Guilty of Counterfeiting or altering any of the said Bills as aforesaid or of Knowingly passing and giving in payment any such Counterfeit or altered Bill shall be guilty of Felony and being thereof Convicted shall Suffer the pains of Death without benefit of Clergy And though such Counterfeiting altering or Knowingly passing Counterfeit or altered Bills shall be done out of this Colony Yet any Grand Jury within the City and County of New York is hereby impowered to present the same and to set forth in the Indictment the place where by their Evidence it appeared that the fact was committed Which Indictment is hereby declared good notwithstanding that the place ALLEDGED be out of this Colony And the petty Juries on the Tryals of all Such Issues shall be returned from the Body of the City and County of New York any Law usage or Custom to the contrary notwithstanding

AND BE IT ENACTED by the authority aforesaid that the Bills of Credit made Struck and Issued by Virtue of this act shall be and Remain Current untill the first Tuesday in November which will be in the year of our Lord One thousand seven hundred and sixty Eight

AND BE IT ENACTED by the authority aforesaid that as the Money to be raised Levied and Collected by Virtue of this act shall be paid into the Treasury the Treasurer of this Colony for the time being shall be and he is hereby directed and Required to use his utmost Endeavours to exchange the same for Bills of Credit made Currant by this act which Bills so procured shall be kept in the Treasury ready to be Cancelled in manner as is directed in and by an act Entitled "An act for the more effectual Cancelling the Bills of Credit of this Colony" passed in the Twenty first Year of his Majesty's Reign

AND BE IT ENACTED by the authority aforesaid That of the Monies allotted by His Majesty for this Colony out of the Two hundred thousand Pounds sterling granted by Parliament for the northern Colonies there shall be and hereby is appropriated for the services aforesaid the sum of Thirty thousand Pounds And also of the Monies arisen or which may arise by Virtue of the three following acts To Wit an act Entitled "An act for granting to his Majesty the several duties and impositions on goods Wares and merchandizes imported into this Colony therein Mentioned" An act Entitled "An act for Emitting Bills of Credit for the Payment of the Debts and for the better Support of the Government of this Colony and other purposes therein mentioned" And an act Entitled "An act to restrain Hawkers and Pedlars within this Colony from selling without License" there shall be and hereby is appropriated for the said Services the sum of Ten thousand pounds to be applied as hereinafter directed any thing in the said three acts to the contrary Notwithstanding

AND BE IT ENACTED by the authority aforesaid that the Treasurer of this Colony Shall out of any of the monies aforesaid in his hands Pay unto John Cruger Beverly Robinson and Peter Van Brugh Livingston Esquires whom his Honor the Lieutenant Governor hath been pleased to appoint Commissioners and Paymasters to the Forces Raised in this Colony the sum of Forty four thousand Pounds to be by them applied in the Payment of Two thousand six hundred and Eighty effective men officers included who are to be employed in the Expedition

aforesaid after the following Rates to wit To three Colonels sixteen shillings per Diem each To three Lieutenant Colonels fourteen shillings per Diem each To three Majors Twelve Shillings per Diem each To three adjutants being Lieutenants Ten shillings per Diem each To Twenty seven Captains Ten Shillings per Diem each To fifty one Lieutenants seven shillings per Diem each To three Quarter Masters three shillings per Diem each To one hundred and Eight Sergeants One shilling and Eight pence per Diem each To Twenty seven Drummers one shilling and six pence per Diem each To eighty one Corporals one shilling and six pence per Diem each and unto Two thousand three hundred and seventy four private men one shilling and three pence per Diem each Deduction to be made for any deficiency in that number, by Death or otherwise Which Forces they are hereby directed to Pay according to the number that shall be in actual service and not otherwise which shall be ascertained by the Muster Rolls of the respective Companies monthly delivered unto the said Paymasters upon the Oath of the several Captains of each Company or the Oath of the Commanding officer thereof at the time of such Muster Which Oath the said Paymasters or either of them or such other Person as the Governor or Commander in Chief shall appoint are hereby impowred and required to administer in the Words following VIZt I A B, Do Swear that the Muster Roll here produced by me is just and True and contains no more nor other persons names than such who are Really and Truly Enlisted in my Company and are now actually and Really in the service on the present Expedition SO HELP ME GOD And the said Paymasters are hereby further Required and directed to Pay to one Chaplain attending the above said Forces Twelve Shillings per Diem and TO three Surgeons providing each two able assistants to attend the said Forces the sum of Twenty four Shillings per Diem each and also to provide them with proper Chests of Medicines to the Value of one hundred and Twenty five pounds each.

AND BE IT FURTHER ENACTED by the authority aforesaid that the Treasurer shall out of the monies aforesaid pay to every officer or other Person who shall procure to be Enlisted and sworn into the said service an able bodied Volunteer the sum of Twenty shillings and to each of the said Captains as and for an encouragement to the men who shall Enlist under him or them respectively the sum of Fifteen pounds to be paid by him or them respectively to each and every ablebodied man who shall



Voluntarily Enlist under him or them respectively on the aforesaid service Which said respective sums shall be paid by the Treasurer on Warrants Issued by the Governor or Commander in Chief for the time being in Council

AND BE IT FURTHER ENACTED by the authority aforesaid that the Treasurer of this Colony shall out of the monies aforesaid Pay unto the Said Commissaries the sum of Fifteen thousand pounds to be by them employed in purchasing Cloathing Blankets and other Necessaries for the use of the Forces to be raised by this Colony on the aforesaid Expedition of the due disposition of all which aforesaid Sums of money they the said Paymasters shall render just and true accounts on Oath to the Governor or Commander in Chief for the time being the Council or the General Assembly when by them or any of them thereunto required.

AND to the end the aforesaid Commissaries may be encouraged to do and perform the several and Respective services required to be done and performed by them respectively BE IT ENACTED BY THE AUTHORITY aforesaid that the said Commissaries Shall be allowed to retain in their own hands the sum of two pounds on every hundred pounds they shall employ by virtue of this act and in that proportion for a greater or Lesser Sum as a reward for their care and trouble in the several and Respective services hereby required to be done & performed by them.

AND BE IT ENACTED by the authority aforesaid that the said Commissaries before they receive any part of the Monies hereby directed to be paid unto them shall enter into Recognizances to our sovereign Lord the King his Heirs and successors before one of the Judges of the supreme Court of this Colony in the sum of Fifty nine thousand pounds with two Sufficient Sureties each in half that Sum CONDITIONED that they will well and truly employ and apply the monies to be Received by them as aforesaid to and for the several and Respective uses and purposes directed by this act and well and Truly to Observe do and perform all the directions hereby Required to be observed Done and performed by them according to the True intent and meaning of this act Which Recognizances are to be filed and Recorded in the supreme Court of this Colony

AND BE IT FURTHER ENACTED by the authority aforesaid that if either of the before named Commissaries shall fail of Employing and applying the money so to be Received by them in manner and for the respective uses directed by this Act or omit

to observe do and perform what is hereby required to be observed done and performed by them in Such Case or Cases the said Recognizances shall be proceeded upon in due form of Law against such offender or offenders or his or their sureties in the supreme Court of this Colony wherein no Essoin Protection Wager of Law or more than one Imparllance shall be allowed and the money to be Recovered in Consequence thereof shall be paid into the Treasury of this Colony and applied to and for such uses as shall hereafter be directed by act or acts to be passed for that purpose

AND BE IT ENACTED by the authority aforesaid that if either of the said Commissaries shall happen to Die Remove out of this Colony or Refuse to act according to the several and Respective powers and authorities hereby required and directed It shall and may be lawfull to and for the Governor or Commander in Chief for the time being by and with the advice and Consent of His Majesty's Council to nominate and appoint some other fit Person or Persons in the place and Stead of him or them so Dying Removing or Refusing to act as aforesaid any thing herein Contained to the Contrary notwithstanding PROVIDED that the Person or Persons who shall be appointed shall be obliged to enter into the like Recognizances with the like Sureties as herein is directed to be done by the said Commissaries before he or they be intitled to Receive any part of the money herein mentioned and in all Respects be as subject to observe Do and perform the several directions of this Act as if he or they had been named or appointed in it

AND BE IT FURTHER ENACTED by the authority aforesaid that the Treasurer Shall pay unto William Weyman for Printing the Bills of Credit directed to be made Current by this act the sum of Thirty three Pounds.

AND BE IT FURTHER ENACTED by the authority aforesaid that the aforesaid several Sums of money Directed to be paid to the before mentioned Commissaries shall be paid by the Treasurer of this Colony at such time and in such proportions as shall be thought necessary and Expedient by his Honor the Lieutenant Governor or Commander in Chief for the time being by and with the advice and Consent of his Majesty's Council of this Colony for performing the several and Respective services directed by this act.

AND BE IT FURTHER ENACTED by the authority aforesaid that the Treasurer shall out of the aforesaid Monies Pay

the following sums VIZt To each of the three Colonels the sum of Seventy Pounds to furnish their respective Tables To each of the Three Lieutenant Colonels the sum of Fifty Pounds for the like purpose and to each of the three Majors the sum of Forty pounds for the like purpose

AND BE IT FURTHER ENACTED by the authority aforesaid that when the Treasurer shall have paid all the several sums directed to be paid by this act all the residue of the money to be Raised by this act shall remain in the Treasury to be disposed of by act or acts hereafter to be passed for that purpose

AND BE IT FURTHER ENACTED by the authority aforesaid that the Treasurer shall keep exact Books of all his Receipts and payments by Virtue of this Act and a true and Just account thereof shall render on Oath to the Governor or Commander in chief for the time being the Council or General Assembly when by them or any of them thereunto Required

AND to the end there may be no deficiency in the Forces to be furnished by this Colony on the aforesaid service BE IT ENACTED BY THE AUTHORITY AFORESAID that in Case a sufficient number of Volunteers do not offer by the Twenty Eighth Day of April next to Compleat the full number of Two thousand five hundred & Eighty Men Including officers It shall and may be lawfull for his Honor the Lieutenant Governor or Commander in Chief for the time being and he is hereby enabled and impowered to supply the deficiency by detachments to be made from the Militia of the several and Respective cities and Counties of this Colony where such Deficiency may happen ALWAYS PROVIDED that no more men shall be detached from the said Several Cities and Counties than according to the following proportions, to Wit

From the City and County of New York Three hundred and twelve effective men

From the City and County of Albany Four hundred and Twenty four effective men

From Kings County sixty eight effective men

From Queens County Three hundred effective men

From Suffolk County Two hundred and Eighty nine effective men

From Richmond County Fifty one effective men

From Westchester County Three hundred and Eighty nine effective men

From Dutchess County Three hundred and Eighty nine effective men

From Ulster County Two hundred and twenty Eight effective men

And From Orange County One hundred and Thirty effective men

AND BE IT FURTHER ENACTED by the authority aforesaid that no person or Persons whatsoever is or are by this act Exempted from being detached for the service required by this act except the several Branches of the Legislature and the Necessary OFFICERS His Majesty's Attorney General The Colony Treasurer High sheriffs and Clerks of Courts Magistrates Ministers of the Gospel The officers of his Majesty's Customs and persons under sixteen and above sixty years of age

AND BE IT FURTHER ENACTED by the authority aforesaid That the several and respective Colonels or next Commanding officers of the several and Respective Regiments of the Militia within this Colony shall forthwith after Receiving the orders of his Honour the Lieutenant Governor or Commander in Chief for the time being for detaching the number of Men Wanting according to the aforesaid proportions send for all the Captains or next Commanding officers of all the Several Companies as well Regimented as Unregimented Troops of Horse included of the several and Respective Cities and Counties to attend them at such time and place as the said Colonels or next Commanding officers shall appoint with their several and respective Lists on Oath of their Companies and of every other Person in their District or Beat not exempted by this act Which Oath the Colonel or next Commanding officer in his Respective County shall be and is hereby Impowered to administer in the following Words— I A. B. Do swear that the list I now deliver Contains the names of all the men from sixteen years of age to sixty (Not exempted by an act Entitled "An act for levying Paying and Cloathing Two thousand six hundred and Eighty effective men officers included for forming an army of Twenty thousand men with the Forces of the Neighbouring Colonies to Reduce in Conjunction with his Majesty's Regular Troops Montreal and other Posts belonging to the French in Canada For Emitting Bills of Credit for the sum of Sixty Thousand Pounds and for sinking and Cancelling the said Bills in Short Periods") in my Company or Beat according to the best of my knowledge-- From which Lists the several and Respective Colonels or next

Commanding officers together With the other Field officers shall proportion the number of men to be furnished by each Company Respectively according to the Numbers contained in the Said Lists and the said several and Respective Captains or next Commanding officers for the respective Cities and Counties with the assistance of a Field officer of each Respective City and County shall within six Days thereafter take the proper measures for DETACHING the number allotted to each Company Respectively by such time as shall be appointed by his Honor the Lieutenant Governor or Commander in Chief for the time being for that purpose Each able bodied man who shall before the said Detachment be made enter Voluntarily into the said service out of any of the said Companies to be allowed part of the Quota of such Company And If any dispute shall arise among any of the said Companies concerning the number of Volunteers entered into the said service out of the said Companies the same shall be examined into and finally settled by the Respective Colonels or other Field officers of the City and County where the dispute may arise.

AND BE IT FURTHER ENACTED by the authority aforesaid That when any of the said Captains or next commanding officers shall order their Companies to meet in order to Raise the Quota of men allotted to them Respectively every Person duly Warned to appear either personally or by notice left at his place of Residence not only those belonging to the said Respective Companies but such other as Reside within the said Beat or District not exempted by this act who shall not attend at such time and place as shall be appointed by the said Captain or next Commanding officer Respectively shall forfeit and Pay the sum of Twenty pounds or If it shall appear by a proper Certificate that the offender or offenders is or are one of the People called Quakers they shall on account of the tender Regard the Legislature of this Colony has to Scrupulous Consciences Pay the sum of Eight pounds and no more

AND BE IT FURTHER ENACTED by the authority aforesaid that all free negroes and mustee and mulattoe Freemen within this Colony shall be and hereby are made liable to be detached on the aforesaid service by the Captain or Captains or next Commanding officer or officers within whose Respective Beats or Districts they do or may Reside notwithstanding any Indenture or Indentures of servitude they or any of them may be under



AND Whereas some persons in Several Parts of this Colony have Deserted from the service of the former Campaigns BE IT FURTHER ENACTED by the authority aforesaid That it shall and may be lawfull for the several Militia Captains or next Commanding officers out of or by whose Company they were enlisted or detached to take and Seize all such Deserter or Deserters wherever they can be found within this Colony and send them on the aforesaid service as part of the Quota to be furnished by their Respective Companies

AND BE IT FURTHER ENACTED by the authority aforesaid That if any Person or Persons being Residents in any County of this Colony shall after the Publication of this act be enlisted in or for any other County than that whereof they are Residents such Person or Persons so enlisted shall be allowed to be part of the Quota of that County whereof they are Residents and if any dispute shall arise between two Counties upon that head such dispute shall be examined into and finally settled by such Person or Persons as his Honor the Lieutenant Governor or Commander in chief for the time being shall appoint

AND BE IT FURTHER ENACTED by the authority aforesaid That if any person or Persons within this Colony shall after the orders for making the said Detachments be issued and before the said Detachments be compleated be found in any part of this Colony to which they do not belong and shall not be able to give a satisfactory account of himself or themselves and the business they are upon to the Captain of the District or Beat within whose limits he or they shall be found it shall and may be lawfull for such Captain or next Commanding officer to Detach such Person or Persons on the aforesaid service as part of the Number he is to furnish out of his Company

AND BE IT FURTHER ENACTED by the authority aforesaid That if any Person or Persons so detached shall refuse the said service he or they so Refusing shall be deemed Deserters and shall be proceeded against and punished accordingly ALWAYS PROVIDED that it shall and may be lawfull for the Person so detached as aforesaid to procure an able bodied man to go in his Room and Stead and on his PRODUCING such to the officer or officers appointed to Command the Company in which the said Detached Person was to go or to the Person or Persons appointed to Muster the said men he the said Detached Person shall be discharged from that service.

AND BE IT FURTHER ENACTED by the authority aforesaid that in Case any Person or Persons Whatsoever shall harbour secret or Conceal any Person Detached or Inlisted as aforesaid and absenting himself from the said service he she or they so offending shall forfeit the sum of Twenty Pounds

AND BE IT FURTHER ENACTED by the authority aforesaid that if any Person or Persons whatsoever shall directly or Indirectly obstruct the said Detachments being made or shall discourage or hinder any Person from Inlisting Voluntarily into the said service or shall under any pretence whatsoever other wise than by due Process of Law Detain any such Person who shall hereafter Inlist Voluntarily or be Detached into the said service though the said Person be a servant or apprentice he, she or they so offending shall respectively forfeit the sum of Fifty pounds.

AND BE IT FURTHER ENACTED by the authority aforesaid That if any Captain or next Commanding officer of a Company of Militia or any Person properly authorized to Inlist Volunteers on the aforesaid service or Receive the Persons Detached shall be Prosecuted by any Master or Mistress of a servant or apprentice for Detaching or Inlisting his her or their Servant or apprentice in the aforesaid service or for retaining them in the said service It shall and may be lawful for such officers so Detaching or such Person so Inlisting or Retaining such servant or apprentice to plead the General Issue and give this act in Evidence and the Plaintiff or Plaintiffs in such Suit or suits shall not recover in any such Suits but pay all Costs.

AND BE IT FURTHER ENACTED by the authority aforesaid That if any Colonel or Field officer shall neglect or omit to do what is enjoined by him or them by this act they SHALL respectively forfeit the sum of Two hundred Pounds and any Captain or Subaltern officer who shall neglect to do what is enjoined him by this act shall forfeit the Sum of One hundred Pounds and every non-Commissioned officer who shall omit or neglect the Service required of him by his Captain or next Commanding officer in executing this act shall forfeit the sum of Fifty pounds all which forfeitures shall be immediately Levied on the Goods and Chattles of the said Defaulters Respectively by Warrant or Warrants Issued by one of the Judges of the Inferior Courts of Common Pleas of the Respective County or Counties where the said Forfeitures shall arise or by one of the Judges of the Supream Court in the City of New York on due

proof made thereof before him Which Warrants shall be directed to and Executed by the sheriff or sheriffs of the several Cities and Counties Respectively The said forfeitures when levied shall be paid into the hands of the supervisors of the said Respective Counties or the City Treasurer of the City of New York and be by them applied for and towards the Payment of the necessary charges of each Respective City and County and all other forfeitures laid by this act shall immediately be levied on the goods and Chattles of the Defaulters Respectively or on the goods and Chattles of their masters or Mistresses by Warrant or Warrants under the hands and Seals of the Captain or next Commanding officer of each Respective Company directed to a serjeant or Corporal of his Company to be applied by the said Captain or next Commanding officer either for the encouraging of Volunteers or towards the Reimbursement of those in his Company who have Contributed thereto and where no goods or Chattles are to be found the aforesaid Defaulter or Defaulters respectively shall be committed to Goal there to Remain without Bail or mainprize for the Space of six Months or until the said Forfeitures with all Costs and charges attending the same shall be fully paid.

AND that none of his Majesty's Subjects who are inclined to go upon the service aforesaid may be impeded or debarred from entering Voluntarily therein or being detached prevented from going thereon BE IT ENACTED BY THE AUTHORITY AFORESAID That no person who shall enlist or enter himself a Volunteer in the said Service or being detached thereon shall during the same be liable to be taken therefrom BY any process or Execution whatsoever other than for some Criminal matter unless for a Debt or other Just cause of action and unless before the taking out of such Process or Execution not being for a Criminal matter the Plaintiff or Plaintiffs thereon or some other Person or Persons in his or their behalf shall make affidavit before one or more Judge or Judges of the Court of Record or other Court out of which such Process or Execution shall Issue or before some Person authorized to take affidavits in Such Courts That to his or their Knowledge the Original sum Justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants in the action or Cause of action on which such Process shall Issue or the Original Debt for which such Execution shall be Issued out amounts to the Value of Fifty Pounds Current money of the Colony of New York over

and above all Costs of suit in the same action or in any other action on which the same has been or shall be grounded a memorandum of which Oath shall be Endorsed on the back of such Process or Writ for which memorandum Or oath no fee shall be taken and if any Person shall nevertheless be arrested Contrary to the Intent of this act It shall and may be lawfull for one or more Judge or Judges of such Court upon Complaint made thereof by the party himself or by any of his Superior officers to examine into the same by the Oath of the parties or otherwise and by Warrant under his or their hands and seals to discharge such Soldier so arrested or detained Contrary to the Intent of this act without paying any fee or fees upon due proof made before him or them that such soldier so arrested or detained was duely Inlisted for the service or Detached thereon as aforesaid and was Arrested and detained Contrary to the Intent of this act

AND BE IT FURTHER ENACTED by the authority aforesaid that any Person or Persons who are willing to Inlist and shall accordingly Inlist for the service aforesaid or being detached therein who are now detained in Goal upon Execution or any Process in any civil action where the Original cause of action did not amount to the sum of Fifty pounds shall upon a Certificate of such his or their Inlistment or Detachment being produced to any Judge or Judges of the Court from whence such Process Issued be discharged from Imprisonment without paying fees PROVIDED NEVERTHELESS that such DISCHARGE shall not be deemed an Extinguishment of any such Debt but any Plaintiff or Plaintiffs may be at liberty to proceed to Judgment and Execution against the Goods of any such defendant and also against their Person or Persons after he or they shall be discharged from the said service in the same manner as if such Debtor had not been Released from Imprisonment

AND BE IT ENACTED by the authority aforesaid that no Person or Persons whatsoever Inlaged in the said service aforesaid shall be detained therein longer than to the first Day of November next

AND BE IT ENACTED by the authority aforesaid that as well those that enter Voluntarily as those that may be detached in the said service shall be mustered Viewed and Examined by such Person or Persons and at such time and place as his Honor the Lieutenant Governor or Commander in Chief for the time being shall appoint, and in Case any of them be found un

such Examination unfit for such service the Company or Companies producing such unfit Person or Persons shall be obliged to supply their places with other fit and able bodied men

AND BE IT ENACTED by the authority aforesaid that in Case any Person or Persons whatsoever engaged in the service aforesaid either as officers or Soldiers shall at any time during the said service Desert therefrom, or shall begin Excite Cause or Join in any mutiny or sedition in the Company to which he doth belong or in any other Company engaged in the said service or shall hold Correspondence with any Rebel or Enemy of his Majesty or give them advice or Intelligence by Letters Messages Signs or Tokens or any manner of way whatsoever or shall Strike or use any Violence against his Superior officer being in the Execution of his office or shall Refuse to obey any lawfull Command of his Superior officer They shall respectively suffer Death or such other punishment as shall be Inflicted by a Court Martial Which Court Martial shall be held Constituted and appointed by Commission from his Honor the Lieutenant Governor or Commander in Chief FOR the time being under the Great Seal of this Colony.

AND WHEREAS some able bodied men may abscond and secrete themselves before the said Forces be Compleated to prevent their being detached on the aforesaid service BE IT ENACTED BY THE AUTHORITY AFORESAID that the several and Respective militia Captains or next Commanding officers shall be and hereby are fully impowered authorized required and directed with Such force as they shall think Necessary to make diligent and Strict search for all such absconded Persons belonging to their Respective Companies or whose usual Residence is within their Respective Districts or Beats and take seize and secure all such of the said absconded persons as they can meet with wherever they can be found in the several and Respective Counties they belong to and send them on the aforesaid service as part of the Quota to be furnished by their respective Companies and in Case any of the absconded Persons shall not be found before the March of the Forces to the General Rendezvous it shall and may be lawfull for the said several and Respective Captains or next Commanding officers Respectively with Such force as they shall find Necessary to take seize and secure all such absconded Persons as shall or may afterwards be found and send then on the aforesaid service as Recruits for the Forces furnished by this Colony on the aforesaid Important service Unless he or they



shall Pay Twenty pounds to his or their Respective Captains to be applied to the use of such Person or Persons proportionably as have Contributed towards the procuring the Inlisting of Persons in their respective Companies for the service aforesaid

[CHAPTER 1113.]

[Chapter 1113, of Van Schaack, and chapter 191 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act to raise levy and collect a Sum not exceeding the Sum of five Hundred Pounds in Westchester County towards finishing the Court House and Goal in the said County and other purposes therein mentioned.

[Passed, March 22, 1700.]

WHEREAS the Sum of one Thousand Pounds has not been sufficient to build finish and Compleat a new Court House and Goal in the said County of Westchester, and it being necessary that the said County-House and Goal be compleatly finished for holding of Courts and Securing of Prisoners

BE IT THEREFORE ENACTED, by his Honour the Lieutenant Governor, the Council and the General Assembly, and it is hereby enacted by the authority of the same, that for compleating and finishing the same Court-House and Goal, and for no other Use or Purpose whatsoever it shall and may be lawfull to and for the Supervisors of the said County, and they are hereby directed and required, at their next Meeting to raise levy and collect of and from the several Freeholders, Inhabitants, and Sojourners within the said County a Sum not exceeding the Sum of five hundred Pounds, which said Sum shall be raised levied and collected in the same manner as the other Necessary and contingent Charges of the said County are

AND BE IT FURTHER ENACTED by the authority aforesaid, that the money so to be raised by Virtue of this Act shall from Time to Time be paid by the several and respective Collectors unto such Persons as shall be by the said Supervisors or the major Part of them nominated and appointed not more than the Number of three, for Ordering Managing and Directing how and in what manner, the said Court House and Goal shall be compleated and finished and the said Persons so appointed and nominated are hereby oblig'd to observe the same accordingly, and also shall and may from Time to Time inspect,

examine, and audit all the several and respective accounts for Workmanship and materials to be employed for and towards completing and finishing the Court House, and Goal before mentioned, and of the due Disposition of the said Sum of five hundred Pounds, or so much thereof as shall come into their Hands, they the said Persons so appointed as aforesaid shall render a true account thereof upon Oath unto the Supervisors aforesaid, when thereunto required

AND WHEREAS the assessors and Collectors of the Boroughs Towns or Manours in the said County or some of them, have neglected to assess and collect their several Proportions of the one Thousand Pounds aforesaid

BE IT ENACTED by the authority aforesaid, that the Supervisors aforesaid or the major Part of them shall be and hereby are empower'd, and fully authoriz'd to add at their next meeting all such Deficiency to the Quota or Assessment of such Borough, Town, or manour where such Neglect has happened, which shall be raised levied and collected in the same manner as aforesaid

And in Case any of the respective Collectors aforesaid shall neglect or refuse to pay the money's by them so collected respectively, unto such manager or managers as aforesaid, all such Sum or Sums of Money, shall be deemed assets in their Hands respectively and they shall be chargeable therewith to the said managers, who shall be and Hereby are enabled, directed and required in their own Names, or in the Names of the greater Part of them to sue for the said Sum or Sums or such Part thereof as shall be then due or unpaid, and prosecute the same to Effect

#### [CHAPTER 1114.]

[Chapter 1114, of Van Schaack, and chapter 102 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act to empower certain Persons in the City of London to Receive the Quota that shall be allotted to this Colony by his Majesty out of the Two hundred thousand Pounds granted by Parliament for the Northern Colonies.

[Passed, March 22, 1760.]

WHEREAS his Majesty hath been Graciously pleased to allot to this Colony in Consideration of their Vigorous Exertion and

great expence in Levying Paying and Cloathing a large Body of Troops to Act in Conjunction with the Regular Forces against his Majesty's Enemies in Canada a certain proportion out of the Two hundred thousand Pounds granted by Parliament for the Northern Colonies

BE IT THEREFORE ENACTED by his Honor the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same That William Baker and Robert Charles Esquires shall be and hereby are Impowered and authorized to Receive all such Sum or Sums of Money as are or shall be allotted by his Majesty for this Colony as aforesaid which they are immediately to Remit to the Treasurer of this Colony in one of his Majesty's Ships of War PROVIDED it be not otherwise ordered by His Majesty or His Ministers

[CHAPTER 1115.]

[Chapter 1115, of Van Schaack, and chapter 183 (vol. 2) of Livingston & Smith, where the title only is printed]

An Act to enable the supervisors of Dutchess County to raise the sum of six hundred and forty two pounds due from the said County on the act therein mentioned. And the further sum of seventy Pounds for Converting a Jury Room into a Jail

(Passed, March 22, 1700.)

WHEREAS the supervisors of Dutchess County did (throu neglect of their then Clerk in preparing the list of Taxes to be levied in the said County on the first Tuesday in June last) omit to raise the sum of six hundred and forty two pounds due from the said County by virtue of an act passed in the Thirtieth year of his Majesty's Reign Entitled "An act for Raising Paying and Cloathing Two thousand six hundred and Eighty effective men officers including for forming an army of Twenty thousand Men with the Forces of the neighbouring Colonies to Invade the French possessions in Canada in Conjunction with a Body of his Majesty's Regular Troops and other purposes therein mentioned"

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby enacted by the authority of the same that it shall and may be lawfull to and for the said Supervisors of Dutchess County

or the Major part of them and they are hereby directed and Required on the first Tuesday in June next when they shall meet to raise the Taxes of the said County to add the said Sum of SIX hundred and forty two pounds to the Taxes then to be raised and order the same to be Collected and Paid in the same manner and form and under the same Restrictions as are contained in the Before Recited act

AND BE IT FURTHER ENACTED by the authority aforesaid that it shall and may be lawfull to and for the supervisors aforesaid or the Majority of them and they are hereby Required and directed at the aforesaid meeting to raise the sum of seventy pounds on the Freeholders and Inhabitants of the said County to be applied towards defraying the expence of Converting one of the Jury Rooms in the County house into a Jail Which sum they are to order the Collectors to collect and pay into the hands of the sheriff for the time being for the purpose aforesaid who is hereby ordered to render an account thereof upon Oath to the said Supervisors when by them thereunto required

#### [CHAPTER 1116.]

[Chapter 1116, of Van Schaack, and chapter 191 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act for paying and discharging several Sums of money claimed as Debts of this Colony and other purposes therein mentioned.

[Passed, June 10, 1700.]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General assembly, and it is hereby enacted by the authority of the same that the Treasurer of this Colony, shall and he is hereby directed and required to pay the several sums of money following, out of the following several Funds to wit the Sum of one thousand three hundred and seventy six pounds eighteen shillings and one Farthing now in his hands by Virtue of an act entitled an act to lay a Duty of Tonnage on the Vessels and for the Time therein mentioned passed in the eighth year of his present Majesty's Reign and by several subsequent acts continued 'till the first of January which will be in the year one thousand seven hundred and sixty five, and also the sum of four thousand three hundred and thirty six pounds nineteen shillings and ten pence three farthings, now in his Hands by Virtue of the three following acts (viz) an act for granting

to his majesty the several Duties and Impositions on Goods wares and merchandizes imported into this colony therein mentioned; an act for emitting Bills of Credit, for the payment of the Debts, and for the better support of the Government of this Colony, and other purposes therein mentioned; and an act to restrain Hawkers and Pedlars within this Colony from selling without Licence; and also the Sum of one thousand nine hundred and forty two pounds now in his Hands unapplied by virtue of an act entitled an act for raising a supply of one hundred thousand pounds, for levying paying and Cloathing two thousand six hundred and eighty effective men officers included for forming with the Forces of the neighbouring Colonies an army of Twenty thousand Men, to invade, in Conjunction with a Body of his Majesty's regular Troops, the French possessions in Canada, for emitting Bills of Credit for the like sum and for Sinking and cancelling the said Bills in short periods to the several and respective Persons and for the purposes following (viz)

Unto Capt Matthew H: Dubois for transporting part of the Militia of Ulster County from Kingston to Albany in August one thousand seven hundred and fifty seven on the alarm of Fort William Henry being attacked by the Enemy the Sum of nine pounds.

Unto Abraham van Gaasbeck for the Like service and at the same Time the sum of four pounds.

Unto William Elsworth for the like service and at the same Time the sum of eight pounds.

Unto James Parker for the Ballance of his accompts for the same service and at the same time the Sum of two hundred and eighteen pounds and thirteen shillings.

Unto Richard Banker for the use of the owners of the private Vessel of war called the wheel of Fortune for the like service and at the same Time the Sum of Twenty eight pounds.

Unto Jacobus van Kleek for the Like Service and at the same Time the Sum of seven pounds.

Unto Oliver Realy or order for Boarding a French Capt Prisoner from the fourteenth of may one thousand seven hundred and fifty eight to the eight of august following the sum of four pounds & four shillings.

Unto Thomas Hallet or order for Boarding Two french officers five months in the year one thousand seven hundred and fifty eight the Sum of fifteen pounds, and eight shillings.



Unto Joseph Lawrence or order for Boarding three french officers in the years one thousand seven hundred and fifty seven and one thousand seven hundred and fifty eight as per account the sum of eighteen pounds & four shillings.

Unto Jacob Blauvelt for supporting two french prisoners in Goal Twenty two days in the year one thousand seven hundred and fifty eight, the sum of Two pounds and four shillings.

Unto Cornelius Berrien's Executors or administrators for his Boarding two french officers prisoners four months and five days in the years one thousand seven hundred and fifty seven and one thousand seven hundred and fifty eight the sum of Twelve pounds and fourteen shillings.

Unto William Sackett Fir't for Boarding two French prisoners in the year one thousand seven hundred and fifty seven the sum of three pounds and fourteen shillings.

Unto Joseph Lawrence for Boarding two French prisoners from the twelfth of august one thousand seven hundred and fifty seven to the twenty fifth of January following and also one French prisoner more from the fourteenth December one thousand seven hundred and fifty seven to the twenty fifth of January following the sum of Eighteen pounds and twelve shillings.

Unto the Executors or administrators of William Field for his Boarding a French prisoner from the twentieth of april one thousand seven hundred and fifty eight to the nineteenth of may following the Sum of one pound and ten shillings.

Unto John Lawrence for Boarding one french officer prisoner Two hundred and forty two Days, and one other french officer prisoner Twenty eight Days the sum of thirteen pounds and ten shillings.

Unto John Combs for Boarding four french prisoners officers from the twentieth of september one thousand seven hundred and fifty seven to the first april following the Sum of Eighteen pounds.

Unto Rynier Probasco for Boarding three french prisoners officers between the twentieth of September one thousand seven hundred and fifty seven and the nineteenth of may one thousand seven hundred and fifty eight the sum of twenty seven pounds and seventeen shillings.

Unto William Lawrence for Boarding two french officers prisoners from the twentieth of September to the seventh of December one thousand seven hundred and fifty seven the sum of seven pounds and sixteen shillings.

Unto John Smith for Boarding five french prisoners in the year one thousand seven hundred and fifty seven the sum of five pounds, fifteen shillings and six pence.

Unto John Hoogland for Boarding one french prisoner an officer from the tenth of march to the nineteenth of may one thousand seven hundred and fifty eight the Sum of three pounds and nine shillings.

Unto Samuel Gerretse Junr for supporting french prisoners in the years one thousand seven hundred and fifty seven and one thousand Seven hundred and fifty eight in Ballance of his accounts the sum of nine pounds two shillings and ten pence.

Unto Richard van Dike for Disbursements by him made for Boarding several french prisoners in the years one thousand seven hundred and fifty six and one thousand seven hundred and fifty seven in discharge of his account the Sum of one hundred and seventy one pounds and nineteen shillings.

Unto Jonah Rhodes for Boarding two french officers nineteen weeks in the year one thous'd seven hundred and fifty eight, the sum of six pounds and thirteen shillings.

Unto John Roberts Esqr in full for his account for maintaining french prisoners in the years one thousand seven hundred and fifty six and one thousand seven hundred and fifty seven the sum of three hundred and seven pounds and five shillings.

Unto Isaac Van Hook Junr in full for maintaining five wounded french prisoners taken at the Battle of Lake George in the year one thousand seven hundred and fifty five from the sixth of april one thousand seven hundred and fifty six to the twenty sixth of april one thousand seven hundred and fifty nine the Sum of one hundred and sixty one pounds two shillings and two pence.

Unto Doctor Beekman van Bueren for attending the above mentioned french prisoners as per his account the sum of forty six pounds five shillings and nine pence.

Unto Joseph Griswoil for Boarding a french gentleman prisoner from September the ninth one thousand seven hundred and fifty six to the eighteenth of may one thousand seven hundred and fifty eight the sum of thirty pounds sixteen shillings.

Unto Pelatiah Haws or order for expences and boarding several french neutrals as per account the sum of one pound ten shillings and nine pence.

Unto Job Pierson or order for money disbursed for sick french neutrals from the first of November one thousand seven

hundred and fifty seven to the eighteenth of January one thousand seven hundred and fifty nine as per account the sum of twenty six pounds.

Unto John Chatfield or his order for Disbursements for sick French Neutrals in the year one thous'd seven hundred and fifty eight as per account the Sum of twenty pounds twelve shillings and ten pence.

Unto Isaac Willett Esqr for maintaining thirteen french Neutrals one hundred and eighty seven days (who had made their Escape and were going to Canada but for want of provisions were forced to surrender themselves at Fort Edward and from thence sent down to New York) by order OF the Governor and Council in July one thousand seven hundred and fifty seven the Sum of nine pounds and seven shillings.

Unto Casparis Mable for several Disbursements to french neutrals in September one thousand seven hundred and fifty six by order of the Justices of the peace for orange County the sum of three pounds sixteen shillings and three pence.

Unto Thomas Sacket for administring Physick to and attending a French Neutral Boy in the year one thousand seven hundred and fifty six by order of the Justices of the peace for Queens County the Sum of two pounds eleven shillings and nine pence.

Unto Hendrick Suydam for supporting french neutrals being aged sick and unable to support themselves from the fourteenth of December one thousand seven hundred and fifty seven to the twelfth of February one thousand seven hundred and fifty nine as per account the sum of sixteen pounds, twelve shilling and three pence half penny.

Unto the said Hendrick Suydam for supporting the Like french neutrals from the fifteenth of February one thousand seven hundred and fifty nine to the eleventh of December following as per account the Sum of Seven pounds eleven shillings and nine pence.

Unto the said Hendrick Suydam for supporting the like french Neutrals from the fourth of January to the sixth of may one thousand seven hundred and sixty as per account the Sum of three pounds eighteen shillings and eleven pence half penny.

Unto John Lafferts for supporting the Like french neutrals from the twenty first of march one thousand seven hundred and fifty eight to the thirteenth of may one thousand seven

hundred and sixty as per his several accounts the Sum of thirty three pounds five shillings and seven pence.

Unto Joseph Lewis for supporting the Like french neutrals from the thirteenth of november one thousand seven hundred and fifty eight to the seventeenth of December one thousand seven hundred and fifty nine as per account the Sum of thirteen pounds and five pence.

Unto Solomon Wells and Joseph Horton Overseers of the Town of Southold in Suffolk County, for supporting the Like french neutrals in the years one thousand seven hundred and fifty seven and one thousand seven hundred and fifty eight as per account the Sum of thirteen pounds five shillings and four pence.

Unto Hugh Gelston Esqr for supporting the like french Neutrals in the year one thousand seven hundred and fifty nine as per account the sum of sixteen pounds thirteen shillings and one penny.

Unto Cataline Craig for House and Garden Rent for two Families of french neutrals from the first of September one thousand seven hundred and fifty six to the first of September one thousand seven hundred and fifty nine being sickly and unable to support themselves the Sum of four pounds ten shillings.

Unto Lieutenant Patrick Southerland or order for himself and company of men posted in the Block-houses number 1, and number 2, on the frontiers of Ulster & Orange Countys in the year one thousand seven hundred and fifty eight by order of the Lieutenant Governor the sum of one hundred sixty three pounds & six shillings.

Unto Serjeant Richard Johnson for himself and Detachment under his Command for guarding provisions to the Block house No 3, in Ulster County in the year one thousand seven hundred and fifty eight the sum of thirteen shillings & nine pence.

Unto Capt Jacobus Delamater for himself and Detachment of militia for marching from Kingston up to Fort Edward and attend ag on Duty till duely Discharged in august one thousand seven hundred and fifty seven when Fort William Henry was besieged the sum of Twenty three pounds and four shillings.

Unto the Executors or administrators of Capt Evert Wykoop for himself and Detachment for marching on the said service at the same Time the sum of three pounds & four shillings.

Unto Lieutenant Johannes Snyder Junr for himself and De

tachment for the like service and at the same Time, the sum of Forty pounds and sixteen shillings.

Unto Lieutenant Wilhelmus Hooghteling Junr for himself and Detachment for the like service and at the same Time the sum of thirty seven pounds and ten shillings.

Unto Capt Cornelius van Buren for himself and Detachment for the like service and at the same time the Sum of Twenty seven pounds and four shillings.

Unto Capt Tobias Wynkoop for himself and Detachment for the like service and at the same Time the sum of Eighteen pounds.

Unto Capt John van Densen for himself and Detachment for the like service and at the same Time the sum of Twenty three pounds and fourteen shillings.

Unto Joseph Gasherie attending as Clerk of Coll Hardenbergh's Regiment on the like service and at the same Time the sum of Two pounds and eight shillings.

Unto Capt Josiah Eltinge for himself and Detachment for the like service and at the same Time the sum of twenty four pounds and sixteen shillings.

Unto Capt Arnout Vicle for himself and Detachment for the like Service and at the same Time the sum of Forty seven pounds, and ten shillings.

Unto Capt Henry Rosekrans and Detachment for the like Service and at the same Time the sum of fifty four pounds and nineteen shillings.

Unto the Executors or administrators of Lieutenant John Brinkerhoff and Detachment for the like Service and at the same Time the Sum of thirteen pounds & five shillings.

Unto Capt Isaac Delamater and his Detachment for the Like Service and at the same Time the Sum, of thirty pounds and nine shillings.

Unto Ensign Tenues Tappan & one private for the like Service and at the same Time the Sum of four pounds.

Unto Capt Robert Livingston junior for himself and detachment for the like service and at the same time the Sum of Two hundred and sixty one pounds and nineteen Shillings.

Unto Gabriel H Ludlow for the Like Service & at the same Time the sum of one pound & fourteen shillings.

Unto Capt Hendicus Heermanse for himself and Detachment for the like Service and at the same Time the sum of fifty one pounds and seventeen shillings.



Unto Jacobus Johannes Kip for himself and Detachment for the like Service and at the same Time the sum of twenty four pounds and fifteen shillings.

Unto Jacobus Jacobus van Etten Serjeant for himself and Detachment for the Like service and at the same Time the sum of thirty seven pounds and sixteen shillings.

Unto Capt Samuel Jackson for himself and Detachment for the like service and at the same Time the Sum of Seventy four pounds and four shillings.

Unto Capt Francis Nehar for himself and Detachment for the Like Service and at the same Time the sum of Twenty pounds and sixteen shillings.

Unto Capt Robert Embree for himself and Detachment of Militia for the Like Service and at the same Time the Sum of seventy two pounds and nine shillings.

Unto Capt Francis Bret for himself and Detachment of militia for the like Service and at the same Time the sum of seventy four pounds and six shillings.

Unto Lieutenant Peter Dubois for himself and Detachment for the like service and at the same Time the sum of seventeen pounds and four shillings.

Unto Capt Daniel Beemis for himself and Detachment for the like service and at the same Time the Sum of Twenty eight pounds.

Unto Capt Cornelius Luyster for himself and Detachment for the Like service and at the same Time and also for sloop hire for transporting them to Albany the sum of Twelve pounds.

Unto Increase Holly for himself and Detachment for the like service at the same Time the sum of one pound and sixteen shillings.

Unto Capt Thomas Smith for himself and Detachment for the like service and at the same Time the sum of Twenty four pounds and thirteen shillings.

Unto Capt David Marvin for himself and Detachment for the like service and at the same Time the sum of thirty pounds and nine shillings.

Unto Capt James Smith for himself and Detachment for the like Service and at the same Time the Sum of five pounds and nineteen shillings.

Unto John Russell for the like Service and at the same Time the sum of one pound and fourteen Shillings.

Unto Capt John Conkling for himself and Detachment for the like service and at the same Time, the sum of Twenty five pounds and thirteen shillings.

Unto Abraham Terweligan Serjeant for himself and Detachment for the like service and at the same Time, the sum of Seven pounds and four shillings

Unto Capt John Wiesner for one private men omitted in a former account for carrying home the Horses from Saraghtoge in the year one thousand seven hundred and fifty seven the Sum of one pound and four shillings.

Unto Lieutenant Colvin Bradner for himself and five men for carrying Home Horses from Saraghtoge by order of Coll Den Key in August one thousand seven hundred and fifty seven the Sum of five pounds and Ten shillings.

Unto Lieutenant Noah Eltinge for himself and Detachment for marching up to Albany at the time of the Engagement in September one thousand seven hundred and fifty five at Lake George the sum of Twenty pounds and fifteen shillings

Unto Capt Arnout Viele for himself and Detachment for the Like service and at the same Time the sum of nine pounds and twelve shillings.

Unto Capt Simon Freer and Detachment for the like service and at the same Time the sum of Twenty pounds and twelve shillings

Unto Lieutenant Noah Eltinge for himself and Detachment marching up towards Albany by order of Coll Gaasbeck Chambers in november one thousand seven hundred & fifty five the sum of nine pounds and sixteen shillings.

Unto Cap Arnout Viele for himself and Detachment marching up to Albany in April one thousand seven hundred and fifty seven the sum of Twenty nine pounds and ten shillings.

Unto James Dickinson Capt for himself and Detachment for the like service and at the same Time the sum of forty three pounds

Unto Elisha Lewis a subaltern for himself and Detachment for the like service and at the same Time the Sum of Eleven pounds and five shillings

Unto Capt Henry Rosekrans for himself and Detachment for marching towards Fort William Henry in march one thousand seven hundred and fifty seven the sum of sixteen pounds and nine shillings.

Unto Capt Samuel Jackson and Detachment for the like service and at the same Time the sum of Fifteen pounds and twelve shillings.

Unto Lieutenant Tennis Van Velghten for himself and Detachment for the like service and at the same Time the sum of nine pounds and twelve shillings.

Unto Lieutenant Peter van Kleek and Detachment for marching on an alarm to the City of Albany in april one thousand seven hundred and fifty six the sum of Eleven pounds and eleven shillings.

Unto Ensign Teunis Tappen and his Company for marching to Albany in August one thousand seven hundred and fifty six on the alarm of Oswego being besieged the sum of twelve pounds and five shillings.

Unto Capt John Legget for himself and Detachment for the like service and at the same Time the sum of Twenty nine pounds.

Unto Lieutenant William Van Ness for himself and Detachment for the like service and at the same Time the sum of fifty three pounds and thirteen shillings.

Unto Samuel Gale for furnishing Provisions to the militia posted on the Frontiers near Goshen from the first day of September one thousand seven hundred and fifty eight to the seventeenth of november following the Sum of fifty six pounds.

Unto Capt Thomas Ellis for himself and Detachment for scouting on the western Frontiers of Ulster County in march and april one thousand seven hundred and fifty eight the Sum of five pounds and twelve shillings.

Unto Joseph Denton for himself and Detachment for the like service the sum of five pounds and twelve shillings.

Unto Ebenezer Gidney for himself and Detachment for the like service the sum of Two pounds and Two shillings.

Unto Gilbert Denton for himself and Detachment for the like service the sum of Two pounds and Two shillings.

Unto John N: Smith for himself and Detachment for the like service the sum of one pound and Ten shillings.

Unto Capt Johannes Newkerk for himself and Detachment for the like service the sum of nine pounds and twelve shillings.

Unto James Fulton for himself and Detachment for the like service the sum of six pounds.

Unto Lieutenant Hendrius van Keuren for himself and Detachment for the like service in March one thousand seven hundred and fifty eight the Sum of Two pounds & twelve shillings.

Unto Lieutenant James Kain for himself and Detachment for the like Service and the same month and year the Sum of Two pounds and four shillings.

Unto Cornelius Kool serjeant in Capt John Hardenberg's Company for himself & Detachment for the Like service & the same month & year the sum of Two pounds.

Unto Capt John Wiesner for himself and Detachment for the Like Service the sum of seven pounds and thirteen shillings.

Unto Lieutenant Richard Clarke for himself and Detachment for the like service in august one thousand seven hundred and fifty eight the Sum of one pound six shillings & three pence

Unto Joseph Holly Corporal in Capt Wiesner's Company for himself and Detachment for the like service in June one thousand seven hundred and fifty seven the Sum of thirteen shillings and nine pence.

Unto Ensign Daniel Denton for himself and Detachment for the like service in may one thousand seven hundred and fifty eight the sum of three pounds & ten shillings.

Unto Colvil Carpenter Serjeant in Capt Case's Company for himself and Detachment for the like service in October one thousand seven hundred and fifty seven and September one thousand seven hundred and fifty eight the sum of Two pounds, twelve shillings & six pence.

Unto Capt John Ball and Detachment for the like service in the year one thousand seven hundred and fifty eight the Sum of seventeen pounds, eight shillings and nine pence.

Unto Lieutenant Benjamin Burt for himself and Detachment for the like service in August one thousand seven hundred & fifty eight the sum of one pound fifteen shillings & three pence.

Unto Benjamin Ellison Serjeant in Capt John Wiesner's Company of Militia for himself and Detachment for the Like service in September one thousand seven hundred & fifty eight the Sum of Two pounds and seven pence half penny.

Unto Lieutenant Robert Denton for himself and Detachment for the like service in may one thousand seven hundred and fifty eight the sum of one pound, seven shillings & nine pence.

Unto Lieutenant Robert Thomson for himself and Detachment for the like service in august one thousand seven hundred & fifty eight the sum of fifteen shillings and nine pence.

Unto Lieutenant Patrick Southerland for himself & Detachment for the like service in august one thousand seven hundred & fifty eight the sum of two pounds, three shillings & six pence.

Unto Daniel Gale Serjeant in Capt Wiesner's Company for himself and Detachment for the like service in may one thousand seven hundred and fifty seven the sum of one pound.

Unto David Moore Serjeant in Capt Case's Company for himself and Detachment for the like Service in august one thousand seven hundred and fifty eight the sum of one pound & ten shillings.

Unto Lieutenant Colvil Bradner for himself and Detachment for the like service in august one thousand seven hundred & fifty eight the sum of one pound & four shillings.

Unto Lieutenant John Carpenter for himself and Detachment for the like service in November one thousand seven hundred & fifty eight the sum of fourteen shillings & six pence.

Unto Coll. Benjamin Seaman for to defray the Expence for attending and Keeping Watch at the Beacons in Richmond County from the twenty seventh of may to the twenty sixth of October one thousand seven hundred & fifty nine the sum of fifteen pounds.

Unto Coll. Stephen Hicks for the Like service in Queens County from the twenty ninth of may one thousand seven hundred & fifty nine to the twenty first of October following the sum of twenty nine pounds.

Unto Coll. Johannes Lott for the like service in King's County from the twenty ninth of may to the fifteenth of october one thousand seven hundred & fifty nine the sum of Twenty Eight pounds.

Unto Capt John Wells of Cherry Valley for himself and Detachment for marching on several alarms from march one thousand seven hundred and fifty six to may one thousand seven hundred and fifty seven as per account by order of Sir William Johnson the sum of two hundred twenty nine pounds and ten shillings.

Unto Johannes S: Vrooman Lieutenant for himself and Detachment for the like Service in may one thousand seven hundred and fifty eight the sum of four pounds and eighteen shillings.

Unto Capt Andries Truax for himself and Detachment of Militia for the like service in the same month & year the sum of eighteen pounds & Eighteen shillings.

Unto Lieutenant Hendrick Hansen for himself and Detachment for the like Service in the month & year aforesaid the sum of thirty four pounds & three shillings.



Unto Capt Daniel Campbel for himself and Detachment of militia for the Like service in the month & year aforesaid the sum of Ten pounds & fourteen shillings.

Unto Capt Peter Wagner for himself and Detachment of militia for several the like services in the year aforesaid the Sum of one hundred eighty eight pounds & four shillings.

Unto Capt Robert Livingston Junr for himself & Detachment of Militia for the like services in the months of march & april one thousand seven hundred & fifty seven the Sum of one hundred eighty nine pounds and four shillings.

Unto Capt Frederick Korts for himself and Detachment of militia for the like service in the months & year aforesaid the sum of Sixty seven pounds.

Unto Ensign John Bronck for himself & Detachment of militia for the like service the sum of thirteen pounds & four shillings.

Unto Direk Wessels Ten Brook Lieutenant for himself & Detachment of militia for the like Service in august one thousand seven hundred & fifty six the sum of one hundred five pounds & fifteen shillings.

Unto Capt John Legget for himself & Detachment of Militia for the like service in the Month and year aforesaid the sum of thirty nine pounds.

Unto Lieutenant George Peter Hanser for himself & Detachment of militia for the like service in the month & year aforesaid the sum of Twenty four pounds, & two shillings.

Unto Lieutenant Philip Connyn for himself and Detachment of militia for the like service in the same year the sum of fifteen pounds & nineteen shillings.

Unto Ensign John Bronck for himself & Detachment of militia for the like Service in the year aforesaid the sum of four pounds & Eighteen shillings.

Unto Isaac Kaljer Sergeant in Capt Jacob Halenbeck's Company for himself and Detachment for the like service in april one thousand seven hundred & fifty seven the Sum of Twenty nine pounds & fourteen Shillings.

Unto Capt Jacob Halenbeck for himself & Detachment of militia for several the Like Services in March and April one thousand seven hundred & fifty six the Sum of Eighty two pounds and nine Shillings.

Unto Lambert van Volkenburgh Sergeant for himself & Detachment for the like service in one thousand seven hundred & fifty seven the Sum of fourteen pounds & six shillings.

Unto John Young Serjeant for himself & Detachment of militia for the like service in March and April One thousand seven hundred & fifty seven the sum of fifty pounds & Eight Shillings.

Unto Lieutenant Jacob W: Vrooman for himself & Detachment for several of the like services in the years one thousand seven hundred & fifty six & one thousand seven hundred & fifty seven and for marching to Fort Edward when Fort William Henry was besieged in August one thousand seven hundred & fifty seven the Sum of three hundred & six pounds & ten shillings.

Unto Capt Jacob Starenbergh for himself and Detachments for several the like services in the years one thousand seven hundred & fifty six fifty seven & fifty eight the Sum of five hundred, and fifty three pounds & eleven shillings.

Unto Capt Thomas Akerson for himself & Detachment for several like services in the year one thous'd seven hundred & fifty eight the sum of sixty four pounds, & nineteen shillings.

Unto Cornelius Cuyler for Goods sent Sybrant Van Schaick to Onondago by order of the Lieutenant Governor in the year One thousand seven hundred & fifty five the sum of thirteen pounds, nineteen shillings & one penny half penny.

Unto Capt Francis Claw for himself and Detachment of Militia for Scouting on the Frontiers of Kinderhook in april and may one thousand seven hundred and fifty seven by order of Coll. John Ranselaer the sum of fifty one pounds, seven shillings, & six pence.

Unto Ensign Samuel Vance for himself and Detachments of militia under his Command for ranging and scouting several Times on the westren Frontiers in Orange County the Sum of Two pounds Eleven Shillings and nine pence.

Unto Colonel John van Ranselaer for divers Expresses on several occasions as per account the Sum of thirty four pounds & fourteen shillings.

Unto Thomas Kyte for the like service in September one thousand seven hundred & fifty eight the sum of Two pounds and eight shillings.

Unto Doctor John Gale for administiring physick to and attending the sick Men posted on the westren Frontiers in the year one thousand seven hundred & fifty six the Sum of thirty pounds.

Unto Major William Thomson for the pay of a party of men hired to guard the western Frontiers in the year one thousand

seven hundred & fifty eight the Sum of forty pounds sixteen shillings and three pence.

Unto Capt Jacob Hornbeak for himself and Detachment for the like Service in the year one thousand seven hundred & fifty eight the Sum of one hundred and thirty nine pounds & four shillings.

Unto Capt Josiah Eltinge for himself and Detachment for the like service in Decemb'r one thousand seven hundred & fifty six and January one thousand seven hundred & fifty seven the sum of four pounds four shillings.

Unto Serjeant John Mc Neal for himself & Detachment for the Like Service in the year one thousand seven hundred & fifty eight the sum of one pound eight shillings & nine pence.

Unto Serjeant Thomas Turner for himself and Detachment for the like service in the year one thousand seven hundred & fifty seven the sum of Eleven pounds six shillings & three pence.

Unto Major Leonard Lisenard for paying the passage of Efreme Quarry who was taken at Oswego and carried to France the sum of Ten pounds.

Unto Jacobus Bruyn Esqr for the use of the second Regiment of Ulster County for three Block Houses built on the western Frontiers the sum of one hundred pounds.

Unto Ensign Edward Erwin for himself and Detachment under his Command for Duty done on the western Frontiers in Ulster County in the year one thousand seven hundred & fifty six the Sum of four pounds fourteen shillings & six pence.

Unto Ensign Edward Erwin for himself and Detachment for the like service in the year one thousand seven hundred & fifty seven the sum of one pound & Ten Shillings.

Unto Michael Smith for a horse lost at the Battle of Lake George in the year one thousand seven hundred & fifty five the Sum of three pounds.

Unto Jury Schuetz for a wagon lost at the Battle of Lake George in the year one thousand seven hundred & fifty five the Sum of five pounds.

Unto Capt John Legget for a wagon lost at the Battle at Lake George in the year one thousand seven hundred & fifty five the Sum of Two pounds three shillings and six pence.

Unto Johannes Michael for one horse & wagon Lost at the Battle of Lake George in the year one thousand seven hundred & fifty five The Sum of Eleven pounds & Ten shillings.

Unto Peter Styver for one Horse lost at the Battle at Lake George in the year one thousand seven hundred & fifty five the Sum of four pounds & Ten shillings.

Unto Philip Clom Jury Lesser and Coenrade Lesser for a wagon and two horses lost at the Battle at Lake George in the year one thousand seven hundred & fifty five the Sum of Twelve pounds & six shillings.

Unto Robert Livingston for one wagon Lost at Lake George in the year one thousand seven hundred & fifty five the sum of four Pounds & Ten shillings.

Unto Andrew Michel for a wagon lost at the Battle at Lake George in the year one thousand seven hundred & fifty five the sum of seven pounds fifteen shillings.

Unto John Moul for a Horse lost at the Battle of Lake George in the year one thousand seven hundred & fifty five the Sum of Two pounds.

Unto Michel Place for two Horses lost at the Battle at Lake George in the year one thousand seven hundred & fifty five the sum of Seven pounds.

Unto Matthias Van Deusen for a horse lost at the Battle at Lake George in the year one thousand seven hundred & fifty five the Sum of three pounds & ten shillings.

Unto Maritie Muller for a horse Lost at the Battle at Lake George in the year one thousand seven hundred & fifty five the sum of five pounds.

Unto Tobias Van Deusen for ye Ballance of a Wagon Lost at the Battle at Lake George in the year one thousand seven hundred & fifty five the Sum of one pound & fifteen shillings.

Unto John Sourman for a horse lost at the Battle at Lake George in the year one thousand seven hundred & fifty five, the sum of five pounds.

Unto Peter Jager for one horse lost at the Battle at Lake George in the year one thousand seven hundred & fifty five the sum of three pounds.

Unto Peter Herder for a wagon lost at Lake George in the year one thousand seven hundred and fifty five the sum of Two pounds one shilling & six pence.

Unto Michael Stoppleben for a wagon lost at Lake George in the year one thousand seven hundred & fifty five the Sum of four pounds.

Unto Peter Pulver for one wagon and horse lost at the Battle at Lake George in the year one thousand seven hundred & fifty five the Sum of Eight Pounds.

Unto Jury Colman for one horse lost at the Battle at Lake George in the year one thousand seven hundred & fifty five the Sum of four Pounds.

Unto Peter Hogeboom for a wagon lost at Lake George in the year one thousand seven hundred & fifty five, the sum of four pounds nine shillings.

Unto John C. Bronck for a wagon lost at Lake George in the year one thousand seven hundred and fifty five the Sum of three pounds fifteen shillings

Unto Philip Shultis for a wagon Lost at the Battle at Lake George in the year one thousand seven Hundred and fifty five the Sum of three pounds.

Unto Hendrick Huyck for two Horses lost one in the year one thousand seven hundred & fifty five and one in the year one thousand seven hundred and fifty six in his majesty's service the sum of six pounds.

Unto Hendrick Hagedorn for one Horse and Wagon lost in the year one thousand seven hundred and fifty five, and also one Horse in one thousand seven hundred & fifty eight in his Majesty's Service the sum of ten Pounds and ten shillings.

Unto Christian Schever for one wagon lost in one thousand seven hundred & fifty five in his Majesty's Service the sum of four pounds.

Unto Johannes Engcold for one horse lost in said service in the year one thousand seven hundred and fifty nine the Sum of three pounds and ten shillings.

Unto Johannes Merckel for one Horse lost in the said service in one thousand seven hundred and fifty six the sum of four pounds.

Unto Joseph Multhys for one Horse lost in the said service in One thousand seven hundred and fifty nine the sum of Two pounds and ten shillings.

Unto Peter Vrooman for three Horses lost in the year one thousand seven hundred & fifty eight in the said Service the Sum of sixteen Pounds and ten shillings.

Unto Bastian Becker for one wagon Lost on said Service in the year one thousand seven hundred & fifty six two pounds ten shillings.

Unto Josias Swart for one wagon Lost in the year one thousand seven hundred & fifty six and one Horse in the year one thousand seven hundred & fifty eight in the said service the Sum of ten pounds.



**LAWS OF THE COLONY OF NEW YORK.**

Unto George Warner for one Horse lost in the said Service in the year one thousand seven hundred & fifty six the sum of four pounds.

Unto Jacob F: Lawyer for one wagon lost in the said Service in the year one thousand seven hundred and Fifty six the sum of one pound fifteen shillings.

Unto George Man for a Horse and tackling lost in the year one thousand seven hundred & fifty six and in the year one thousand seven hundred & fifty nine the Sum of five pounds five shillings.

Unto Jacob Shever for two Horses lost in said Service in the year one thousand seven hundred and fifty eight the Sum of three pounds ten shillings.

Unto Mathew Blenjon for the loss of a Wagon in July one thousand seven hundred & fifty eight the Sum of two pounds and ten shillings.

Unto Moses Dupny for the loss of a wagon in one thousand seven hundred & fifty five the Sum of four pounds.

Unto Tierck Jacobson Dewitt for the loss of a wagon & Tackling in one thousand seven hundred & fifty five the Sum of four pounds.

Unto the said Tierck Jacobson Dewitt for the loss of a Horse in one thousand seven hundred and fifty eight the Sum of five pounds.

Unto Johan Cry Rank for a Horse lost in one thousand seven hundred & fifty six the sum of three Pounds and Ten shillings.

To Jacobus Schoonmaker for a horse Lost in one thousand seven hundred & fifty five the Sum of six Pounds.

To Johannis G. Hardenbergh for a horse Lost in one thousand seven hundred & fifty eight the sum of three pounds.

Unto Thomas Comfort for a Horse lost in One thousand seven hundred & fifty nine, the sum of three Pounds.

Unto John Westbrouck for a Horse lost in one thousand seven hundred & fifty nine the Sum of three Pounds.

Unto Johannis De Witt for a wagon & Tackling lost in one thousand seven hundred & fifty six the sum of Eight pounds.

Unto Jeronimus Valkenburgh for a Horse lost in one thousand seven hundred & fifty nine the sum of seven pounds.

Unto Christian Tierer Junr. for a horse lost in one thousand seven hundred & fifty seven the sum of four Pounds.

Unto John Dehois for a Horse lost in one thousand seven hundred & fifty nine, the sum of four pounds.

Unto Counradt Tenbrook for a Horse lost in one thousand seven hundred & fifty nine, The Sum of five pounds.

Unto Anthony Hoffman for one Horse lost in one thousand seven hundred & fifty six, and another lost in one thousand seven hundred & fifty eight the sum of Eight pounds.

Unto Cornelius Elmendorph for a Horse lost in one thousand seven hundred & fifty nine the sum of three pounds & ten shillings.

Unto Jacob Tenbrook for a Horse lost in one thousand seven hundred & fifty eight, the sum of four pounds.

Unto Tjattie Dubois for a wagon Harness & Tackling Lost in one thousand seven hundred and fifty eight, the Sum of three pounds and five shillings.

Unto Jacob Friere for a Horse lost in One thousand seven hundred & fifty seven, the sum of three pounds & ten shillings.

Unto Jurrie Coppertol for two Horses and wagon lost in September one thousand seven hundred & fifty five the sum of Eleven pounds and ten shillings.

Unto Abraham Wempel for a wagon and Tackling lost in one thousand seven hundred and fifty five The sum of five pounds.

Unto Abda Peirce for a Horse lost in One thousand seven hundred & fifty five, the Sum of four pounds.

Unto Jacob Swits for two Horses lost in One thousand seven hundred & fifty six, the sum of seven pounds & ten shillings.

Unto Ryer Schermerhorn for two Horses a wagon & Tackling Lost in September one thousand seven hundred and fifty five the Sum of fifteen pounds.

Unto Gisbert Van Brakel for a wagon a Horse & Tackling lost in September one thousand seven hundred and fifty five, the Sum of seven pounds and fifteen shillings.

Unto Daniel Degraaf for a wagon lost in one thousand seven hundred & fifty seven the Sum of six pounds.

Unto Isaac Vrooman Esqr. Executor to Wouter Vrooman for a horse lost in one thousand seven hundred & fifty six, & another lost in One thousand seven hundred & fifty seven the Sum of Seven pounds and ten shillings.

Unto Robert Everit for a Horse lost in one thousand seven hundred & fifty eight, the Sum of three pounds.

Unto Oliver Smith for a Wagon lost in one thousand seven hundred & fifty eight, the sum of six pounds.

Unto John Wells for a Horse lost in One thousand seven hundred & fifty eight, the sum of three pounds & Ten shillings.

Unto Johannes Lawyer Junr. for a Horse lost in One thousand seven hundred & fifty five, the Sum of four pounds and five shillings.

Unto Hendrick Halse for a Horse lost in One thousand seven hundred & fifty eight, the Sum of six pounds.

Unto Nicholas Eyker for two Horses and Tackling lost in One thousand seven hundred & fifty seven, the Sum of Eight pounds.

Unto Ezekiel Maston for a Horse lost in One thousand seven hundred & fifty nine, the Sum of five pounds.

Unto Tunes Van Vliet for a Horse lost in One thousand seven hundred & fifty nine, the sum of three pounds.

Unto Evert Pells for a Horse lost in One thousand seven hundred & fifty nine, the Sum of three pounds.

Unto Michael De Graaf for a Horse and Tackling for a Wagon lost in One thousand seven hundred and fifty nine the Sum of five pounds.

Unto Doctor Cornelius Osborn for a Horse and part of a Wagon and the Tackling Lost in one thousand seven hundred and fifty nine the sum of six pounds.

Unto Simon Leroy for a Horse lost in One thousand seven hundred & fifty nine, the sum of five pounds & ten shillings.

Unto Baltus van Klerk for a wagon and a Horse and tackling Lost in one thousand seven hundred & fifty nine, the Sum of Ten pounds & Ten shillings.

Unto Mary Scheerman widow Executrix to Samuel Shearman deceased for a wagon Lost in one thousand seven hundred & fifty nine the Sum of Six pounds.

Unto David Crossby for a Horse Lost in one thousand seven hundred & fifty six, the Sum of three pounds.

Unto Francis Way for a wagon Lost in one thousand seven hundred & fifty six, and part of a wagon Lost in one thousand seven hundred & fifty eight, the Sum of seven pounds.

Unto Gabriel Nap for a Horse Lost in one thousand seven hundred & fifty six, the Sum of Six pounds.

Unto Nathaniel Banker for a wagon & Gears lost in one thousand seven hundred & fifty six, The sum of Eight pounds and Ten shillings.

Unto Thomas Paddock for a Horse lost in one thousand seven hundred & fifty six, the sum of three pounds.

Unto Jacobus Lawrence for a Horse Lost in one thousand seven hundred & fifty six, the Sum of five pounds.

Unto Joseph Dorlin for part of a wagon lost in one thousand seven hundred & fifty nine the Sum of seventeen Shillings and three pence.

Unto Francis Way for part of a Wagon lost in one thousand seven hundred & fifty nine, the sum of one pound.

Unto Cornelius Swartwout for Gears lost in one thousand seven hundred & fifty six, the Sum of twelve shillings.

Unto Benjamin Burrows for a wagon and Gears lost in one thousand seven hundred and fifty six the sum of seven pounds and ten shillings.

Unto Benjamin Haasbrook for Wagon and Horse lost in one thousand seven hundred and fifty nine the sum of Ten pounds.

Unto Andries Schorten for a horse lost in one thousand seven hundred & fifty nine, the Sum of three pounds.

Unto Mathew Dubois for a horse lost in one thousand seven hundred & fifty nine, the Sum of four pounds.

Unto John Ter Bosh Junr for a Horse lost in one thousand seven hundred & fifty nine, the sum of three pounds.

Unto Phebe Bloom (widow) for a wagon lost in one thousand seven hundred & fifty nine the sum of seven pounds and ten shillings.

Unto John Brinkerhoff for a Horse lost in one thousand seven hundred & fifty nine, the sum of five pounds.

Unto William Roe for a Horse lost in one thousand seven hundred & fifty nine, the sum of two pounds & ten shillings.

Unto Henry Phillips Junr for a wagon & Gears lost in One thousand seven hundred & fifty nine the sum of Seven pounds and fifteen shillings.

Unto Nicholas Brower for a Wagon Lost in one thousand seven hundred & fifty eight, the sum of seven pounds & five shillings.

Unto James Ver planck for a Horse lost in one thousand seven hundred & fifty nine, the sum of four pounds.

Unto Johannes E. Schudt for a Horse lost in one thousand seven hundred & fifty nine, the sum of three pounds.

Unto John Montross for a Horse lost in one thousand seven hundred & fifty nine, the sum of five pounds.

Unto Johannes W. Schudt for a Horse lost in one thousand seven hundred & fifty nine, the sum of five pounds.

Unto Francis Brett for a Horse lost in one thousand seven hundred & fifty nine, the sum of five pounds & ten shillings.

Unto Andrew Wadderwax for a Horse lost in one thousand seven hundred & fifty nine the sum of four pounds.

Unto Isaac Adriance for a wagon lost in one thousand seven hundred & fifty nine, the sum of six pounds & fifteen shillings.

Unto Theodorus Van Wyck Junr for a Horse lost in one thousand seven hundred & fifty nine, the sum of three pounds and Ten shillings.

Unto Lawrence Emogh for a horse lost in one thousand seven hundred and fifty five the sum of Two pounds and Ten shillings.

Unto Zekariah Jynkins for two horses lost in one thousand seven hundred & fifty five the sum of five pounds five shillings.

Unto Henry Emough for a Horse lost in One thousand seven hundred & fifty five, the sum of four pounds.

Unto Nicholas Coens for a Horse lost in one thousand seven hundred & fifty five, the sum of four pounds.

Unto Mosses Nortrop for a Horse lost, the sum of seven pounds.

Unto Ebenezer Pecsley for a Horse lost, the sum of six pounds.

Unto Bartholomew Noxon for a wagon and Gears lost in the year one thousand seven hundred & fifty eight the sum of six pounds.

Unto Daniel Lighthouse for a horse lost in one thousand seven hundred & fifty six, the sum of three pounds.

Unto Johannes Clements for a wagon Lost in one thousand seven hundred & fifty eight, the Sum of six pounds.

Unto Sweris Van Kleeck for a horse lost in one thousand seven hundred and fifty eight, the Sum of one pound and ten shillings.

Unto Aert Middagh for a horse lost in One thousand seven hundred and fifty eight, the Sum of three pounds and ten shillings.

Unto Andries Wederwax for a wagon and Gears Lost in One thousand seven hundred and fifty eight the Sum of seven pounds and ten shillings.

Unto Nathaniel Banker for a wagon and Gears lost in one thousand seven hundred and fifty six the Sum of Eight pounds and Ten shillings.

Unto Benjamin Burroughs for a wagon and Gears lost in one thousand seven hundred and fifty six the Sum of Seven pounds and Two shillings.

Unto Johannes Young for a pair of Leather Gears Lost in one thousand seven hundred and fifty six the sum of one pound and ten shillings.



Unto John Brinkerhoff for part of a wagon Lost in One thousand seven hundred & fifty Eight the sum of one pound and ten shillings

And unto the said John Brinkerhoff for part of a wagon Lost belonging to his Son in the year one thous'd seven hundred and fifty six, the Sum of one pound and ten shillings.

Unto Garret Storm for a horse lost in the year one thousand seven hundred and fifty five the sum of Two pounds and Ten shillings.

Unto Jacob Bruce for a horse lost in One thousand seven hundred & fifty six, the Sum of Eight pounds.

Unto Henry Koen for a Horse lost in one thousand seven hundred & fifty nine, the Sum of five pounds & ten shillings.

And unto the said Henry Koen for a wagon Lost in one thousand seven hundred and fifty six, the Sum of four pounds and ten shillings

Unto Johannis Dutcher for a set of horse Gears lost in one thousand seven hundred and fifty six, the Sum of one pound five shillings.

Unto David Dutcher for a set of horse Gears lost in one thousand seven hundred and fifty nine the sum of one pound.

Unto John Ben for a set of horse Gears lost in One thousand seven hundred & fifty nine, the Sum of one pound.

Unto Eleazer Hamblin for a horse lost in one thousand seven hundred & fifty nine, the sum of five pounds.

Unto Theodorus Van Wyck for part of two waggons and Gears, lost in one thousand seven hundred & fifty six and one thousand seven hundred & fifty eight, the sum of eight pounds and ten shillings.

Unto Petrus Dubois for a horse Lost in one thousand seven hundred & fifty six, the Sum of six pounds.

Unto Zakerias Van Voohis for a wagon & Gears Lost in one thousand seven hundred & fifty six, The Sum of seven pounds.

Unto Jacob Dubois for a Horse lost in one thousand seven hundred & fifty six, the sum of two pounds & ten shillings.

Unto Jonathan Debois for a Horse lost in one thousand seven hundred & fifty six, the Sum of four pounds.

Unto Christian Dubois for a set of Gears Lost in one thousand seven hundred and fifty six, the sum of seventeen shillings and six pence.

Unto Jacobs Schuts for a Horse lost in one thousand seven hundred & fifty six, the sum of four pounds.

Unto John Tottin for a Horse lost in one thousand seven hundred & fifty five, the sum of four pounds & Ten shillings.

Unto Cornelius Scott for two horses Lost in one thousand seven hundred & fifty nine the sum of Eight pounds.

Unto Johannes Jury Wager for a Wagon Lost the sum of seven pounds and ten shillings.

Unto Isaac Kool for part of a wagon Lost in one thousand seven hundred & fifty eight, the sum of five pounds and five shillings.

Unto Christopher Cramer for a horse lost in one thousand seven hundred & fifty eight, the sum of five pounds.

Unto Philip Feller for a horse Lost in his Majesty's service, the sum of five pounds.

Unto Adam Sheffer for a horse lost in his Majesty's service in One thousand seven hundred & fifty six the Sum of one pound and fourteen shillings.

Unto Johannes Berner for a Horse Lost in his Majesty's service in One thousand seven hundred & fifty seven the sum of Two pounds.

Unto Cornelius Ostrander for a Horse lost in his Majesty's service in one thousand seven hundred & fifty eight, the sum of four pounds.

Unto John Pier for a wagon lost in his Majesty's Service in one thousand seven hundred & fifty eight, the Sum of three pounds and ten shillings.

Unto Isaac Fredenburg for a horse lost in his Majesty's service in One thousand seven hundred and fifty nine, the sum of three pounds and ten shillings.

Unto Peter Dewit for a wagon lost in his Majesty's service in One thousand seven hundred and fifty nine the sum of three pounds.

Unto Terriek Dewit for a wagon Lost in his Majesty's service in one thousand seven hundred and and fifty nine, the sum of six pounds.

Unto Johannes Berner for a wagon Lost in his Majesty's Service in one thousand seven hundred and fifty nine the sum of three pounds two shillings and six pence.

Unto Henry Grawbergh for a wagon Lost in his majesty's Service in one thousand seven hundred and fifty nine the sum of Eight pounds and ten shillings.

Unto Hugo Terwiligen for one horse Lost at Lake George in the year one thousand seven hundred & fifty five the sum of two pounds and ten shillings.

Unto Abraham Decker for sundry Tackling of wagon Lost at Lake George in the year one thousand seven hundred & fifty five, the sum of twelve shillings:

Unto Major Cadwaleder Colden for a wagon and two horses lost at Lake George in the year one thousand seven hundred & fifty six the Sum of Eighteen pounds.

Unto John Andrews for one horse and wagon lost in his Majesty's service in the years one thousand seven hundred & fifty six, & one thousand seven hundred & fifty seven, the sum of seven pounds.

Unto Cornelius Schoonmaker for a wagon lost in his Majesty's Service in the year one thousand seven hundred and fifty eight, the sum of three pounds.

Unto Mathew Sammons for a wagon Lost in his Majesty's service in the year one thousand seven hundred & fifty eight, the sum of four pounds and ten shillings.

Unto Barent Schermerhorn for a wagon lost in his Majesty's service in the year one thousand seven hundred and fifty five, the Sum of seven pounds.

Unto Simon Leroy for a wagon broak and damaged in the year one thousand seven hundred and fifty five the sum of one pound two shillings and six pence.

Unto Isaac Adriance for a wagon broak and damaged in the year one thousand seven hundred & fifty six the Sum of twelve shillings.

Unto Jacob Hermiaña for a Wagon and tackling Lost in the year one thousand seven hundred & fifty six the sum of seven pounds and five shillings.

Unto John Vosburgh for a wagon Lost in his Majesty's service in the year one thousand seven hundred and fifty five, the sum of five pounds.

Unto Isaac Kip for a wagon lost in his Majesty's Service in the year one thousand seven hundred and fifty eight, the sum of seven pounds and ten shillings.

Unto Philip Feller for a horse lost in his Majesty's service in the year one thousand seven hundred and fifty six, the sum of five pounds.

Unto Philip Feller Jun'r for a horse lost in his Majesty's service in the year one thousand seven hundred and fifty eight, the sum of three pounds and ten shillings.

Unto Christopher Craner for a horse lost in his Majesty's service in the year one thousand seven hundred and fifty eight, the sum of five pounds.

Unto John Pier for a wagon lost in his Majesty's service in the year one thousand seven hundred and fifty eight the sum of three pounds & Ten shillings.

Unto William Tiel for Damages done his wagon in the year one thousand seven hundred and fifty eight the sum of one pound ten shillings and six pence.

Unto Joseph Nehar for one horse lost in his Majesty's Service in the year one thousand seven hundred and fifty eight the sum of three pounds and ten shillings.

Unto Honnas Krusler for a Horse Lost in his Majesty's service in the year one thousand seven hundred & fifty seven, the sum of two pounds and ten shillings.

Unto Nicholas Row for a horse lost in his Majesty's service in the year one thousand seven hundred and fifty eight, the Sum of two pounds and ten shillings.

Unto William Klum for a horse lost in his Majesty's service in the year one thousand seven hundred and fifty seven, the sum of five pounds.

Unto William Pitser for a horse saddle and Bridle lost in his Majesty's service in the year one thousand seven hundred & fifty seven, the sum of four pounds and ten shillings.

Unto Nicholas Stickel Junr for a horse lost in his Majesty's Service in the year one thousand seven hundred and fifty-eight, the sum of three pounds and ten shillings.

Unto George Bloom for a horse and Gears lost in his Majesty's Service in the years one thousand seven hundred & fifty six, & one thousand seven hundred & fifty eight, the sum of five pounds & fifteen shillings.

Unto John Mier for a Horse lost in his Majesty's service in the year one thousand seven hundred and fifty eight, the Sum of two pounds.

Unto Mathias Vonckhons for a Wagon lost in his Majesty's Service in the year one thousand seven hundred and fifty eight, the sum of five pounds and ten shillings.

Unto Jacob Millers Junior for a wagon Lost in his Majesty's Service in the year One thousand seven hundred and fifty eight the sum of five pounds and five shillings.

Unto William Cooper for Damage of his wagon and Gears in his Majesty's service in the year one thousand seven hundred and fifty eight, the sum of three pounds twelve shillings and six pence.

Unto Jonathan Mead for a wagon and Tackling Lost in his Majesty's service in the year One thousand seven hundred & fifty eight, the sum of eight pounds and fifteen shillings. 4

Unto Simon Fraer for a wagon lost in his Majesty's service in the year one thousand seven hundred and fifty six, the sum of five pounds & ten shillings.

Unto Elias van Busseboten to a horse lost in his Majesty's service in the year one thousand seven hundred and fifty six, the sum of three pounds.

Unto Mindert Vandenbogert for a wagon lost in his Majesty's service in the year one thousand seven hundred & fifty eight, the sum of seven pounds.

Unto Adam Shaffer for a horse lost in his Majesty's service in the year one thousand seven hundred and fifty six, the sum of one pound and ten shillings.

Unto Arent Van Wagener for a horse lost in his Majesty's service in the year one thousand seven hundred and fifty eight the sum of three pounds and fifteen shillings.

Unto William Traphagon for a horse lost in his Majesty's service in the year one thousand seven hundred & fifty eight, the sum of two pounds and ten shillings.

Unto Jury Elkert for a horse lost in his Majesty's service in the year one thousand seven hundred and fifty eight the sum of three pounds and fifteen shillings.

Unto Peter Monfort for a horse lost in his Majesty's service in the year one thousand seven hundred and fifty six, the sum of four pounds and seventeen shillings.

Unto Abraham Van Amburgh for a horse lost in the year one thousand seven hundred and fifty eight. the sum of four pounds.

Unto John Montross for a horse lost in his Majesty's service in the year one thousand seven hundred and fifty eight, the sum of three pounds and ten shillings.

Unto James Gleen for a wagon lost in his Majesty's service in the year one thousand seven hundred and fifty nine, the sum of seven pounds.

Unto William Tiel for Damage of his wagon impressed in his Majesty's service in the year one thousand seven hundred & fifty eight, the sum of one pound & eighteen shillings.

Unto William Pendergast for a horse lost in his Majesty's service in the year one thousand seven hundred & fifty nine, the sum of five pounds and ten shillings.



Unto Hendrick Hermanse for a wagon lost in his Majesty's service in the year one thousand seven hundred and fifty six, the sum of three pounds fourteen shillings & four pence.

Unto Valentine Perry for a horse lost in his Majesty's service in the year one thousand seven hundred & fifty nine the sum of four pounds & ten shillings.

Unto Edward Briggs for a horse Lost in his Majesty's service in the year one thousand seven hundred & fifty nine the sum of three pounds and fifteen shillings.

Unto John Tomlinson in Consideration for the Loss of the use of his arm in the Engagement at Ticonderoga in the year one thousand seven hundred & fifty eight, the sum of forty pounds.

Unto David Randal in Consideration for the loss of his leg in the service of this Colony at the Siege of Niagara in the year one thousand seven hundred & fifty nine, the sum of forty pounds.

Unto John Brinkerhoff for a hurt he received in the service of this Colony as a soldier in the year one thousand seven hundred & fifty eight, the sum of Twenty pounds.

Unto Tunis Somerndick for the use of his House for the General Assembly from the seventeenth of October last 'till the fifteenth of may following, the sum of thirty pounds.

Unto Gilbert Bloomer Esqr for supporting such of the french Neutrals as were unable to support themselves from the Eighth of January One thousand seven hundred & fifty seven to the twenty second of may one thousand seven hundred and sixty as per his account the sum of twenty three pounds seven shillings & eight pence.

Unto Jacobus Blecker Esqr for supporting the like french Neutrals from the first day of may one thousand seven hundred & fifty nine to the first of may one thousand seven hundred and sixty as per his account the sum of Ten pounds and Elghteen shillings.

Unto Doctor Nicholas Baley for his attendance on french Neutrals from the twenty first day of July One thousand seven hundred and fifty seven, to the thirtieth of may one thousand seven hundred & sixty as per his account, the sum of five pounds and fifteen shillings.

Unto Capt Mathias Marsh for himself and Detachment for marching on an alarm when oswego was taken in the year One thousand seven hundred & fifty six, the Sum of seventeen pounds & four shillings.

Unto the said Capt Mathias Marsh for himself and Detachment for the like service when fort William Henry was attacked in march One thousand seven hundred & fifty seven, the sum of thirty six pounds.

Unto the said Capt Marsh for the Like service in august One thousand seven hundred & fifty seven, the sum of sixty five pounds and Eleven shillings.

Unto John Brinkerhoff for part of a wagon lost in his Majesty's service in the year one thousand seven hundred and fifty nine, the Sum of twelve shillings.

Unto Mathias Boyie for a horse lost in the said Service in the year One thousand seven hundred and fifty five, the Sum of Five pounds.

Unto Captain Petrus Bogardus for himself and Detachment under his command for marching up to Albany in September One thousand seven hundred and Fifty five by order of Colonel Gaasbeeck Chambers and also for sloop hire for Transporting them to Albany the Sum of seventeen pounds ten shillings.

And be it further enacted by the authority aforesaid that it shall and may be Lawful for Abraham De Peyster Esq'r Treasurer of this Colony to retain in his own hands for several sums of money by him advanced for the use and benefit of this Colony at the request of the Governor Council & General Assembly from the year one thousand seven hundred and fifty five, until the year one thousand seven hundred and fifty eight inclusive, and for which no provision hath hitherto been made by Law, the sum of Twelve hundred and two pounds and sixteen shillings.

And Likewise for money advanced by him over and above the Monies produced by Virtue of an act entitled an act to support the Garrison and trading House at Oswego passed in the Eighteenth year of his Majesty's Reign, the sum of One thousand and seventy nine pounds fourteen shillings and one penny half penny.

And also for money advanced by him over and above the monies produced by Virtue of an act entitled an act for the payment of the Debts of this Colony and for other purposes therein mentioned passed in the twenty fourth year of his Majesty's Reign the Sum of eleven hundred and ninety six pounds and nine pence three farthings.

And for asmuch as the Money in the treasurer's hands on the funds aforesaid will not be sufficient To pay and discharge the

several sums of money hereby directed to be paid; Be it Enacted by the authority aforesaid, that the Treasurer shall and he is hereby directed to take so much money of the monies allotted for this Colony out of the Two hundred thousand pounds granted by Parliament for the Northren Colonies as will with the money on the aforesaid Funds be sufficient to pay and discharge the same.

And be it enacted by the authority aforesaid That the Treasurer shall keep exact Books of all his Receipts and payments by virtue of this act, and a true and just account thereof shall render on oath to the Governor or Commander in Chief for the time being, the Council or the General Assembly, when by them or any of them thereunto required.

AND whereas by the Report of the Committee appointed to examine the accounts of the Commissaries and paymasters of the Forces in the pay of this Colony, there appeared to be a Ballance due to the said Commissaries and paymasters in the year one thousand seven hundred and fifty eight of the sum of Eight hundred and twenty one pounds Eight shillings and five pence; and in the year one thousand seven hundred and fifty nine a further Ballance of the sum of Two thousand one hundred & forty six pounds one shilling & two pence, In order therefore for satisfying and paying the said Respective sums

Be it further enacted by the authority aforesaid, that it shall and may be lawful to and for John Cruger Beverly Robinson and Peter Van Brugh Livingston Esqrs the present Commissaries and paymasters of the Forces in the pay of this Colony, out of the monies in their hands by Virtue of "an act intituled "an act for lerying paying and Cloathing Two thousand six hundred and Eighty effective men officers included for forming "an army of Twenty thousand men, with the Forces of the "Neighbouring Colonies to Reduce in Conjunction with his "Majesty's Regular troops Montreal and other posts belonging "to the French in Canada, for emitting Bills of Credit for the "sum of Sixty thousand pounds, and for sinking and Cancelling "the said Bills in short periods" To pay unto the said Commissaries and paymasters of the Forces in the pay of this Colony in the years one thousand seven hundred and fifty eight, and One thousand seven hundred and fifty nine, the two respective Ballance aforesaid of Eight hundred and twenty one pounds eight shillings and five pence, and of Two thousand one hundred

and forty six pounds one shilling & two pence and the same shall be allowed them in their accounts, any thing to the contrary thereof notwithstanding.

## [CHAPTER 1117.]

[Chapter 1117, of Van Schaack, and chapter 495 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act to supply a Deficiency of the  
Thirty thousand pounds therein mentioned

[Passed, June 10, 1700.]

WHEREAS the sum of Thirty thousand pounds Part of the monies allotted by his Majesty for this Colony out of the Two hundred thousand pounds Sterling granted by Parliament for the Northern Colonies has been appropriated for His Majesty's service in and by one certain act Entitled "An act for levying paying and Cloathing two thousand six hundred and Eighty effective men officers included for forming an army of Twenty thousand men with the Forces of the Neighbouring Colonies to reduce in Conjunction with his Majesty's regular Troops Montreal and other Posts belonging to the French in Canada For emitting Bills of Credit for the Sum of Sixty thousand Pounds and for Sinking and Cancelling the said Bills in Short Periods" Passed in the Thirty third Year of his Majesty's Reign BUT INASMUCH as the said sum of Thirty thousand Pounds hath not as yet been Remitted to the Treasurer of this Colony it is become Necessary that Some other Provision should be made to Supply that deficiency lest his Majesty's service should suffer or be retarded this present Campaign.

BE IT ENACTED by his Honor the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same that the Treasurer of this Colony shall be and hereby is impowered and required to borrow out of any monies that now are OR shall come into the Treasury by virtue of any act or acts of the Governor Council and General Assembly a Sum not exceeding the Sum of Thirty thousand Pounds and the same to Pay at the Times and in the manner as is directed in and by the aforesaid act entitled "An act for levying Paying and Cloathing Two thousand six hundred and Eighty effective men officers included for forming an army of Twenty thousand Men with the Forces of the Neighboring

"Colonies to reduce in Conjunction with his Majesty's Regular Troops Montreal and other Posts belonging to the French in Canada For emitting Bills of Credit for the Sum of Sixty thousand pounds and for Sinking and Cancelling the said Bills in Short Periods" as if the aforesaid Thirty thousand pounds had been already Remitted to the Treasurer.

AND BE IT ENACTED by the authority aforesaid that all such sum or Sums of money borrowed as aforesaid the Treasurer is hereby required and directed to Replace to the respective Funds from which the same have been so borrowed out of the monies allotted for this Colony as aforesaid as soon as the same shall or may be remitted to him.

[CHAPTER 1118.]

[Chapter 1118, of Van Schanck, and chapter 193 (vol. 2) of Livingston & Smith, where the act is printed in full.]

An Act to enable the persons therein named to lay out a Road from the Sterling Iron Works across the High Lands to Haverstraw Landing on Hudsons River in Orange County

[Passed, June 10, 1760.]

WHEREAS by the Petition of William Hawxhurst and others Interested with him in the Said Sterling Iron Works and sundry other Persons Inhabiting and holding Lands in the County of Orange aforesaid It appears that a Road leading from the said Iron Works across the High Lands to the Landing at Haverstraw on Hudsons River is not only necessary to enable the Persons interested in that usefull manufactory to carry on the same to perfection but will tend to open a short Communication with Hudsons River aforesaid to the great ease of those of the Inhabitants of the said County whose Habitations are Seated behind the said Highlands and to the manifest Improvement and advantage of all that part of this Colony

BE IT THEREFORE ENACTED by his Honor the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same, that it shall and may be lawfull for Henry Wisner Junior Esquire Charles Clinton Esquire and the said William Hawxhurst or any two of them and they or any two of them are hereby, fully, author-



ized and Inpowered as Commissioners at the proper Costs and charges of the aforesaid Petitioners and such other Persons as Shall Voluntarily Contribute to the same to lay out clear open make and compleat a Publick Road or Highway not exceeding three Rods in breadth and on the shortest course that Conveniently may be from the said Iron-Works across the Highlands to the most convenient Landing place at Haverstraw aforesaid on Hudsons River Which said publick Road or Highway when so laid out as aforesaid shall be recorded by the Persons laying out the same in such manner as by a certain act of the Governor Council and General Assembly of this Colony passed the Twenty ninth day of November in the nineteenth Year of his present MAJESTY'S Reign Entitled "An act for the better Clearing Regulating and further laying out Publick high Ways in Kings County Queens Richmond County and Orange County" is directed concerning the laying out and Recording of HighWays or Roads in the said several Counties.

AND BE IT FURTHER ENACTED by the authority aforesaid that the said publick Road or Highway so to be laid out cleared opened made and Compleated by Virtue of this act when and as soon as the same shall be so laid out and Recorded as aforesaid shall then and immediately thence forward be Enure and Continue a Publick Road or Highway for all his Majesty's Subjects and all persons using passing and Repassing the same for ever.

AND BE IT FURTHER ENACTED that the said Road Shall not be made a publick or County charge but shall always be kept in repair by the Petitioners and Such others as will Voluntarily Contribute thereto

PROVIDED ALWAYS and be it further Enacted that the Commissioners and Overseers of HighWays for the time being for Orange County aforesaid Elected or to be Elected by Virtue of the aforesaid act or any or either of them shall not at any time or times after the laying out and Recording of the said Publick Road or Highway hereby Enacted Stop up or in any wise obstruct or alter or cause or procure to be stopped up Obstructed or altered the said Publick Road or Highway hereby Enacted any power authority Clause matter or thing either in this or the above recited act contained to the contrary hereof in any wise Notwithstanding.

## [CHAPTER 1119.]

[Chapter 1119, of Van Schaack, and chapter 197 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act for paying two thousand five hundred Pounds for and towards the Relief of the poor Sufferers by the late fire in the Town of Boston.

[Passed, June 10, 1760.]

WHEREAS by the late dreadful Fire in the Town of Boston in the Colony of the Massachusetts Bay above one hundred and fifty Dwelling Houses and many other Buildings were totally consumed and great Numbers of Persons reduced to extreme Misery and Indigence and others rendered Incapable of carrying on the several Trades and Occupations by which they used to support themselves and their Families which has occasioned in the said Town a Calamity too general and extensive to be alleviated by private Contributions or even the public Interposition of the said Colony without the charitable assistance of the other Governments on the Continent And for as much as Benevolence and good Will towards all Men with a tender Commiseration for the distressed and a vigorous Exertion of our Abilities for their Succor and Relief but more especially of our own Countrymen and Members of the same Polity are naturally implanted in the human Heart as well as expressly enjoined by the great and bountiful Author of Nature. To contribute therefore as far as the Circumstances of this Colony under the present burdensome and expensive tho' just and necessary War will admit, to the Relief of the unhappy Sufferers who by the said terrible Disaster have been reduced to the most deplorable Circumstances BE IT ENACTED by his Honour the Lieutenant Governour the Council and the General Assembly and it is hereby enacted by the Authority of the same that the Treasurer of this Colony shall pay unto the Select Men and Overseers of the poor of the said Town of Boston or to their Order the Sum of two thousand five hundred Pounds out of any Monies that shall be in the Treasury when the said two thousand five hundred Pounds shall be demanded to be applied and distributed by the said Select Men and Overseers of the Poor in such Manner as they in their Discretion shall think most proper for the Purposes for which the same is given.

## [CHAPTER 1120.]

[Chapter 1120, of Van Schaack, and chapter 198 (vol. 2) of Livingston & Smith, where the act is printed in full.]

An Act to regulate the Practice of Physick  
and Surgery in the City of New York.

[Passed, June 10. 1700.]

WHEREAS many ignorant and unskilful Persons in Physick and Surgery in order to gain a Subsistence do take upon themselves to administer Physick and practice Surgery in the City of New York to the endangering of the Lives and Limbs of their Patients; and many poor and ignorant Persons inhabiting the said City who have been persuaded to become their Patients have been great Sufferers thereby: For preventing such Abuses for the future,

BE IT ENACTED by his Honour the Lieutenant Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same, That from and after the Publication of this Act no Person whatsoever shall practice as a Physician or surgeon in the said City of New York before he shall first have been examined in Physick or Surgery and approved of and admitted by one of His Majesty's Council, the Judges of the Supreme Court, the King's Attorney General, and the Mayor of the City of New York for the time being, or by any three or more of them, taking to their Assistance for such Examination such proper Person or Persons as they in their discretion shall think fit. And if any Candidate after due Examination of his Learning and Skill in Physick or Surgery as aforesaid shall be approved and admitted to practice as a Physician or Surgeon, or both, the said Examiners or any three or more of them, shall give under their Hands and Seals to the Person so admitted as aforesaid, a Testimonial of his Examination and Admission in the form following, to wit,

TO ALL TO WHOM THESE PRESENTS SHALL COME OR MAY CONCERN KNOW YE That We whose Names are hereunto subscribed in pursuance of An Act of the Lieutenant Governor, the Council and the General Assembly, made and published at New York the       day of       in the year of our Lord One thousand seven hundred and       Entitled AN ACT to regulate the Practice of Physick and Surgery in the City of New York, have duly Examined       of       Physician [or] Surgeon [or] Physician and Surgeon [as the case may be] and

having approved of his Skill have admitted him as a Physician [or] Surgeon [or] Physician and Surgeon, to practice in the said Faculty [or] Faculties throughout this province of New York. IN TESTIMONY whereof we have subscribed our Names and affixed our Seals to this Instrument at New York this       day of       Anno Domini One thousand.

AND be it further Enacted by the Authority aforesaid that if any Person shall practise in the City of New York as a Physician or Surgeon or both as Physician and Surgeon without such Testimonial as aforesaid he shall for every such offence forfeit the sum of five pounds, One half thereof to the use of the Person or Persons who shall sue for the same and the other Moiety to the Church Wardens and Vestrymen of the said City for the use of the Poor thereof, the said Forfeiture to be recovered with costs before the Mayor Recorder, or any one of the Aldermen of the said City who are hereby empowered in a summary way to hear try and determine any suit brought for such forfeiture, and to give Judgment, and to award Execution thereupon.

PROVIDED that this Act shall not extend to any Person or Persons administering Physick of Practising Surgery within the said City before the Publication hereof; Or to any Person bearing His Majesty's Commission and employed in His Service as a Physician, or Surgeon.

#### [CHAPTER 1121.]

[Chapter 1121. of Van Schnaack. where the title only is printed. Chapter 109 (vol 2) of Livingston & Smith. where the act is printed in full. See chapter 885. Explained by chapter 1143. Amended by chapter 1196. Further provided for by chapter 1551.]

An Act for regulating, clearing and farther laying out publick High ways throughout the City & County of Albany.

[Passed, June 10, 1760.]

ALTHO' all or most of the publick High ways are already laid out and ascertained in the City and County of Albany. It may nevertheless be necessary to lay out some High-Roads in the said City & County for the Conveniency of Carriages and Travellers.

1. BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor, the Council and General Assembly, and it is hereby enacted by the authority of the same, That all acts re-

lating to the Clearing and further or better Laying out of Highways so far as they relate to the City and County of Albany shall be, and hereby are repealed and made null and void to all intents Constructions and purposes whatsoever and that from and after the publication and during the Continuance of this act, the persons herein after named, shall be and hereby are appointed Commissioners to regulate Highways, and to lay out such other public Roads, as may still be necessary within the said City and County; and they and each of them, are hereby authorized and empowered, to put in Execution the several Services intended by this act, in such Towns Manors and places only, for which they shall be respectively named and appointed, That is to say, For the Manor of Livingston from the south side of Roeloff Jansens Creek to the southermost Bounds of the said Manor Robert Livingston Esqr and Casparus Schults, and from the north side of the said Creek to the Bounds of Claverack Robert Livingston Junr, Dirck Ten Brook, Jacob Decker and Casparus L. Conyn.

For Claverack from the south Bounds thereof to the Bounds of Kinderhook, John Van Renselaer, Henry Van Renselaer and Casparus Conyn.

For Kinderhook in the said County from the southermost Bounds thereof through the Woods to Green Bush including all the Inhabitants living above half a mile from Hudson's River, although they belong to the Manor of Renselaerwyck Cornelius Van Schaick, Tobias Van Beuren, Barent Van Beuren and Isaac Miller.

For the East side of the manor of Renselaerwyck to and from the southermost Inhabitants of Schotack to Green Bush aforesaid along the River side, Jacob Schermerhorn, Johannes Van Beuren, and Jeronimus Van Valkenburgh.

For Schaykook to the House of Cornelius Van Ness at the Half Moon, Johannes De Wandelaar, Peter Beneway and Harme Knickerbacker.

For Saraghtoga on the west side of the River to the House of Jacob Fort, Waldron Clut, Gerrit De Ridder, and Killian De Ridder.

From the Half-Moon to the north part of the manor of Renselaerwyck to the City of Albany Gurt Van Schoonhove, Peter Schuyler, and Wynant Van Den Bergh.

From Sawyer's Creek being the southermost Bounds of the County of Albany, on the west side of Hudson's River to the



southermost Bounds of the manor of Renselaerwyck, Jacob Ten Brook, Benjamin Debois, and Petrus Van Bergen.

From the Southermost Bounds of the manor of Renselaerwyck on the west side of Hudson's River to the Bounds of the City of Albany, Renselaer Nicol, John Barclay and Garret van Den Burgh.

From the Road which Leads from the City of Albany to Schenectady unto the first Sandy Hill being about two miles from the said City the Mayor Recorder and aldermen of the said City for the time being.

From the Township of Schenectady as far as the said Township extends and the Roads which lead to Albany to the said first Sandy Hill, Jacob Glen, Jacobus Van Slyck, Joseph Yates Jun'r, Ryer Wimple and Isaac Vrooman Esq'r.

From Constigione to the mills at the manor House of Stephen Van Renselaer, Samuel Cryger, Cornelius Tymese and Nicholas Fisher.

From Niskutha to the north side of the Norman's Kill Gerrit van Alen, Harme van Dorsee and Tunix Slingerlandt.

From Schoharie to the Schenectady Road including all the Inhabitants living in the manor of Renselaerwyck within three miles from the said Schoharie Road, who are to work jointly with the Inhabitants of Schoharie on the said Road from their respective Habitations, as far as to the Schenectady Road, Johannes Lawyer Junr Barent Vroman Junr: Hendrick Hanes and John Bunker.

From Towerjone being the westernmost Bounds of the Township of Schenectady so along both sides of the River to Kagknawage Creek, Sir William Johnson, Dowe Fonda and Johannes Vrooman.

From the said Kagknawage Creek westward on Both sides of the River, so far as the Christain Settlements now are or hereafter shall be settled, Marcus Petrie, Hendrick Felling, Harmanus van Slyck, Cornelius Smith, and Harme Van Antwerpe.

From a place called Stone Rable to a Creek called Oaindaes Creek, William Brower, Sufarinus Tyger, and Herdrick Merker,

From Hoosick to the House of Jacob Vander Heyden, John Babtest van Renselaer, Cornelius Hugh, and Abraham Ten Brook.

From Stockhaick to the Farm of Derick van der Herden, Gerrit van Ness Junr, Evert Wendell, and Johannes Becker.

Which said Commissioners in each District, or the major part of them, shall have full power and authority to apportion Lay out and fix how far each precinct or Neighbourhood shall repair and amend the said Highways, where they are to begin, and where to Leave off.

II. AND BE IT ENACTED by the authority aforesaid, That the Commissioners or the major part of them, in the respective places, for which they are named, and appointed Commissioners are hereby impowered and authorized to regulate the Roads already Laid out, and Lay out such other publick Roads in the several places for which they are appointed Commissioners, as to them, or the Major part of them, shall seem Necessary and Convenient; and if need be, to take a Review of the Roads already laid out; and such of them as appear to be really inconvenient, the said Commissioners shall and may alter the same; provided all the Commissioners appointed for the place, judge it absolutely necessary: and to lay out such other publick ways and Roads as they, or the major part of them, shall think most convenient, as well for Travellers as for the Inhabitants of the next adjacent Towns Villages or Neighbourhoods. Provided also, that nothing in this act contained, shall extend, or be construed to impower the Commissioners aforesaid, to alter any Road that is already commodious, or to Lay the same through inclosed or improved Lands, without either the Consent of the owners thereof or paying to them the true value of the Lands, so laid into an highway; And if any Dispute shall arise by that means, the same shall be determined, and the true value set and appraised by two Justices of the peace, and by the Oath of Twelve of the principal freeholders of the Neighbourhood, not having any Interest in the lands, about which such a dispute may arise: the said Freeholders to be summoned by any one of the Constables of each respective Town manor or precinct, by Virtue of a Warrant to be issued by the said two Justices for that purpose. And if the said Roads by the Commissioners so laid out shall be public Roads, and of public and general Benefit then the value of such cleared and improved Lands through which the said Roads shall be laid out shall be a public County Charge and the Supervisors of the said County are hereby directed to allow the same together with the Charge of calling a Jury their Verdict and the whole proceedings thereon had, but if the roads so laid out shall be private Roads, and for the particular Convenience of one or more Districts

Township or Neighbourhood or of one or more particular person or persons, then such private persons Townships Districts or Neighbourhoods requiring the same shall defray the whole Charge of the value of the said cleared or improved lands to be paid to the person or persons injured and through whose cleared or improved lands a private Road shall be laid, together with the wages of the Commissioners, the Charge of calling a Jury, and of their Verdict, and of the whole proceedings thereon had.

III, AND BE IT FARTHER enacted by the authority aforesaid, That the Commissioners respectively of every Town manor or precinct or any one of them, are hereby impowered and directed to order such a number of the Inhabitants of each respective Town manor or Precinct aforesaid with their Sleds & horses, as they, the said Commissioners or any one of them, shall think sufficient and proper to break up the Roads where deep snows happen to fall; and if any person or persons being ordered as aforesaid shall refuse to break up the said Road, such person or persons shall forfeit the sum of nine shillings for every Day they shall so neglect or refuse said Service; to be levied by the Constable in each Town manor or precinct by Distress and sale of the offender's Goods and Chattels by Warrant from any one of the Commissioners for the respective places for which they are hereby appointed returning the overplus of such sale to the owner or Owners, if any there be, the Constable to be first paid for his pains and Trouble out of the Distress, as is common in other Cases; and the said Forfeiture of nine shillings shall be applied for repairing the public Roads, or high-ways, within the Town manor or precinct where such Forfeiture shall arise.

IV, AND BE IT ENACTED by the authority aforesaid. That all Waggon's Car's or other Carriages, which shall be used in any of the high ways in the County of Albany, shall be so made, that the square between the Rutt or track which they shall make, shall be from the outside of the one wheel, to the outside of the other wheel four feet and ten inches English measure, and no more, or no less, upon the Penalty of Twenty shillings current money of this Colony; to be recovered before any of his Majesty's Justices of the peace, where the fault shall happen to be committed, at the suit and to the Benefit of them or him that shall inform and sue for the same.

V, AND BE IT FARTHER ENACTED by the authority aforesaid, That if any person or persons within the said City and County do, or hereafter shall, without the Consent of the Commissioners, or the major part of them, for the Town manor

or place for which they are by this act appointed Commissioners; alter stop up, or lessen any high way or road that has heretofore been laid out by former Commissioners according to law, or shall hereafter be laid out by the Commissioners named in this act; such person so offending, contrary to the meaning of this Act, shall for every such offence, forfeit the sum of five pounds; to be recovered before any Justice of the peace, upon the Oath of any one credible Witness, and levied by warrant from any Justice of the Peace directed to the Constable of the Town manor or Precinct, where such offence shall be committed, by distraining the Goods and Chattels of the offender; and the said Constable, after six days public Notice given by him, of the Time for Sale of said Distress, shall make sale thereof and out of the produce, pay the said Forfeiture and Charges, and return the overplus, if any there be to the owner or owners; which said Forfeiture of five pounds, shall be applied by the surveyors of the Highways, for and towards repairing the publick Roads or Bridges within the precinct where such forfeiture shall arise.

VI. AND BE IT FARTHER ENACTED by the authority of the same, that If any Common public Road or High way shall be laid through any Meadow Ground or Corn Fields, the Breadth of the said Road shall be left to the discretion of the Commissioners, or the major part of them, for the Towns, manors or places, where such Road shall run as aforesaid: Provided such Road do not exceed twenty foot.

VII. AND BE IT FARTHER ENACTED by the said authority, That the Inhabitants of the Respective Towns Manors or precincts by and through which any Common public High Ways or Roads, have or shall run, or be hereafter ascertained or laid out shall be and hereby are obliged to Clear and maintain the same by Cutting and stubbing up the Brush, and lopping off the limbs of the Trees, that hang over the said Roads, the Breadth of two Rods, and pulling up the stones that can be moved, and to carry them out of the Road at least the Breadth of one Rod; and so often as they or any of them shall have notice from any one of the respective Commissioners, Surveyors, overseers of the high ways for the time being, they shall in their Turns either by themselves or by able slaves or Servants Clear Level and amend the high ways not exceeding six Days in the year (Except the Inhabitants of Schoharie and such others as are hereby before directed to work on the Schoharie Road

whom the Commissioners hereby appointed before for that purpose are authorized to order to work on the said road for the space of Eight Days if the said Commissioners shall judge it requisite) under the penalty of three shillings for each Day every such Person or Persons shall neglect or refuse such Service; to be levied by the Constable in each Town manor or precinct by distress and sale of the offender's Goods and Chattels by warrants from the surveyors or overseers of the High ways or any one of them for the time being in each respective Town manor or precinct where such offence shall be committed returning the overplus of such sale, if any be to the owner or owners, the Constable being first paid for his pains and trouble out of the Distress and sale, as is usual in other Cases.

VIII, PROVIDED always and it is hereby farther enacted by the authority aforesaid, That all Trees standing or lying in any persons Lands through which any Common public high way is, or shall be laid out be for the proper use of the owner or owners of the same; But the said owners shall not hinder the public from making use of so much Timber, which is standing or lying on that road, as will amend the said High way, or Bridges running through the same Land.

IX, AND BE IT ALSO ENACTED by the same authority, That where any highway from any Town or Neighbourhood, to any Mills, Meadows watering or common landing-places, shall run through any particular person's Ground, it shall and may be lawful for any such person or persons, by and with the approbation of any two Commissioners, for such Town Manor or place to hang good swinging Gates on such high ways, and keep them in repair at their own Costs; Provided no Road leading unto or out of any woods plains or Commons where the Cattle belonging to any Town or Village usually pass through to or from the Common or feeding Grounds be Cloged or hindered by any swinging Gates, as aforesaid, unless by the Consent of the major part of the Inhabitants of such Town or village; and the several Gates already standing and allowed may or shall be approved and continued or altered, as the Commissioners hereinafter respectively appointed, shall judge most convenient; and the same high way shall be amended and maintained by the Inhabitants only of every Town, Manor, or Precinct, where such way may Run.

X, AND BE IT FARTHER ENACTED by the same authority, That in Case any person or persons shall stake or shore open



any such Gate or Gates as aforesaid or otherwise ride over or through any Lands meadow Ground or Cornfields, to the Damage of the owners thereof; such person or persons shall for every such offence forfeit the Sum of twenty shillings, to be recovered and applied by the surveyors of the high ways in each respective City Town Manor or precinct, where such offence shall be committed towards repairing the public high ways or Roads, and pay all such Damages, with Costs the owner of the soil, or Tenant shall suffer or sustain thereby, as shall be ordered and awarded by a Justice of Peace residing nearest to the place where such offence shall be committed; And the Determination of such Justice shall be final and conclusive therein.

XI. AND BE IT FARTHER ENACTED by the authority aforesaid, That if the overseers of the high ways and Roads, shall think fit, and have occasion of any Team Cart or Waggon, and a man to manage the same, the said Team Cart or Waggon shall be esteem'd to be in Lieu and instead of two days work of one man; and the fine to be proportionable, that is, double to the fine to be imposed for the neglect of one Person, and every working man shall be obliged to bring such Tools as spades axes Crows, pick axes, or other Utensils as shall be directed by the overseers of the high Ways.

XII. AND BE IT FURTHER ENACTED by the said authority, that if any of the said Commissioners herein appointed shall neglect refuse or delay to put the several Clauses in Execution, which are mentioned and expressed as their Duty, in this act if thereunto required: or shall happen to die or remove out of the Town Manor or Places, for which he or they are appointed Commissioners; it shall and may be lawful for the Justices of the peace in the Sessions held for the said County to appoint in his or their stead, another Commissioner or Commissioners, in such place or places, where such refusal neglect Death or removal shall so happen and the Commissioner or Commissioners so appointed, shall be under the same restrictions, and have the same power and authority, as those named by this act.

XIII. AND BE IT FARTHER ENACTED by the authority aforesaid, That the Commissioners of each respective Town manor place or places for which they are respectively appointed, shall from Time to Time during the Continuance of this act, enter in writing all the high ways or roads by them laid out altered or stopt up, and sign the same by putting their names

thereto, and cause the same to be entered in the County Records by the Clerk of the peace who is hereby directed and required, to record the same; and whatsoever the said Commissioners shall do, according to the power given them in this act, being so entered in the County Records, shall be deemed valid and good, to all intents and purposes whatsoever.

XIV, AND BE IT FARTHER ENACTED by the same authority, That each Commissioner appointed or to be appointed by virtue of this act, shall have take and receive a sum not exceeding three shillings, each Day, as a reward for his and their Care and Trouble in laying out and regulating the high ways in the respective Towns, manors, and places for which they severally are appointed; which said Reward or wages shall be defrayed by such person or persons as shall require the service of such Commissioners.

XV, AND IT IS HEREBY PROVIDED, that if the Inhabitants of Oyatack who live to the Eastward of the manor of Livingston shall use the Road, that goes from the Eastward Bounds of the said manor to the General landing place to Hudson's River; that they be obliged to help to maintain and keep the said Road in repair as the Inhabitants of Taghanick are obliged to do.

XVI, AND BE IT FURTHER ENACTED by the authority aforesaid, that upon the ordering of any one or more of the Justices of the peace, or any one or more of the Commissioners within the Town manor or precinct for which he or they are appointed as aforesaid, the surveyors of the Town, manor or precinct shall within Eight Days thereafter warn and set to work the respective Inhabitants to mend and repair the King's Roads and Bridges, which by law and Custom they are obliged to repair; and if the surveyor or surveyors shall neglect or refuse, to warn and set to work the Inhabitants as aforesaid, and see the said Bridges and Highways amended and repaired such surveyor or surveyors, shall for every such neglect or refusal forfeit and pay a fine of forty shillings; to be adjudged by and recovered before any Justice of the peace of the said County upon the oath of any one witness or on the view of such Justice, or on the View of any one of the Commissioners WITHIN his or their District in the Common and usual method; which fine shall be applied towards repairing the said high ways or Roads, in such Town manor or precinct, wherein the fine did arise.

**XVII, PROVIDED** always and It is hereby enacted by the authority aforesaid, That where the Inhabitants of a small neighbourhood or plantation shall desire to have public Roads laid out, the Commissioners aforesaid shall not be allowed to lay out such and so many Roads, as the said Inhabitants may be desirous to have; but only one publick way leading from such Neighbourhood to the nearest publick or high Road from whence they can Travel or transport Goods to other Towns or landing places; and where it shall be necessary to Lay out a Road from one District, as they are in this act, joinded to another District, the Commissioners of both Towns manors or places are to meet, and consult, where such roads can be laid out in the best and streightest manner, and to lay out the same accordingly, to the End such Roads may not only Correspond with each other, but be laid and carried on in the most convenient and shortest manner, the nature of the Land will allow.

**XVIII. AND WHEREAS** the Inhabitants of the township of Schenectady have by long Experience, found it very Prejudicial to make use of but one Road to the City of Albany, both with Waggon and sleds, which causes the said Road to be often out of repair, and makes the Rutts thereof very deep, so that its difficult to make use of it in winter with a sled. **AND WHEREAS** the nature of the Ground between Albany and Schenectady, will admit to lay out a New Road on a streight line and without doing any Damage to improved lands, **BE IT ENACTED** by the authority aforesaid, That it shall and may be lawful for the Commissioners appointed for the said Township, or the major part of them, and they are hereby required and directed to employ a surveyor and two other men to run a line from the said Town to the said City of Albany, and the said surveyor and the two men so employed to run the said line to be paid in like manner by the Inhabitants of the said Township of Schenectady, as all the other public and necessary Charges of the said Towns are paid, And the said Commissioners are hereby farther required and directed to lay out a new Road as near the said line so to be run as the nature of the Ground will admit, on or before the first day of December in the year of One thousand seven hundred and sixty two; which said Road so laid out shall be made cleared amended and kept in repair by such of the Inhabitants of the said Township as do keep horses and Sled; and if the Commissioners or the major part of them shall neglect refuse or delay to put this Clause in Execution

such Commissioner or Commissioners shall respectively forfeit and pay the sum of five pounds to any person that shall sue for the same before any of his Majesty's Justices of Peace; which said money shall be applied towards laying out & mending the said Road.

XIX, AND TO THE END the good hereby intended may not be frustrated BE IT ENACTED by The authority aforesaid, that if any person or persons shall presume to use the said Road with a waggon or any other wheel Carriage he she or they so offending shall forfeit the sum of Twenty shillings for every such offence, to be Recovered before any one Justice of the peace in the said County upon the Oath of one Credible Witness, which Forfeiture shall be applied one half to the repairing the said Road, and the other Half for the use of the informer, This act to be in force from the time of its publication untill the first Day of January one thousand seven hundred and seventy.

[CHAPTER 1122.]

[Chapter 1122, of Van Schaack, and chapter 200 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 1552.]

An Act to oblige the Supervisors of the City and County of Albany to take an Oath before they enter upon the Execution of their office And for altering the time of the annual meeting of the Inhabitants of Schohary in the Said County.

[Passed, June 10, 1760.]

BE IT ENACTED by his Honor the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the Same that every Supervisor who shall be Chosen and Elected in the said City and County of Albany after the publication of this act shall before he enters upon the Execution of his office take an Oath upon the Holy Evangelists of Almighty God in the Words following to Wit

I A. B. do swear that I will well Truly and Impartially and to the best of my understanding cause the Quota's of the Publick Taxes as well as the Contingent charges of the City and County of Albany to be raised Levied Collected and paid in Such manner that the same as near as may be be equally borne

and paid by the Inhabitants of each respective City Town Manor Precinct or District in the said County SO HELP ME GOD Which Oath any one of his Majesty's Justices of the peace for the said City or County is hereby authorized directed and required to administer and to give a Certificate under his hand and Seal of having administered the same which Certificate shall be filed with the Clerk of the Supervisors at their first meeting next after their having been Qualified as aforesaid Any thing to the contrary hereof in any wise notwithstanding

AND be it Enacted by the authority aforesaid that in case any of the Supervisors so to be chosen and Elected as aforesaid shall after their being Chosen and Elected refuse to take the said Oath he or they so refusing shall forfeit and Pay the sum of five pounds to be recovered before any one of his Majesty's Justices of the Peace of the said City or County by any Person who shall or will Prosecute the same to effect One half of which Fine to be for the proper use and behoof of the Person Prosecuting as aforesaid and the other half for the use of the Poor of the said City and County

AND BE IT FURTHER ENACTED by the authority aforesaid that it shall and may be lawfull for the freeholders and Inhabitants of the said City and County upon any such refusal made by any of the Supervisors as aforesaid and they are hereby directed and required as soon as may be thereafter to Chuse and Elect another Supervisor or Supervisors in the place and Stead of him or them so refusing to be Qualified as aforesaid Which Supervisor or Supervisors so to be chosen shall and he or they are hereby directed and required to take the oath and Qualify him or themselves in manner herein before directed

AND WHEREAS it is very inconvenient for the Inhabitants of Schoary in the said County to hold their annual meetings on the first Tuesday in April by reason of the Road's being at that season of the year very deep and scarce passable

BE IT FURTHER ENACTED by the authority aforesaid that it shall and may be lawfull to and for the said Inhabitants after the publication of this act TO hold their annual meetings on the first Tuesday in May instead of the first Tuesday of April Any Law usage or Custom to the Contrary notwithstanding



## [CHAPTER 1123.]

[Chapter 1123, of Van Schaack, where the title only is printed. Chapter 201 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 754. Continued by chapter 1415.]

An Act to revive an act Entitled "An act  
"for the better relief of the Poor in Dutchess  
"County."

[Passed, June 10, 1760.]

WHEREAS an act Entitled "An act for the better relief of  
"the Poor in Dutchess County" passed in the seventeenth year  
of his present Majesty's Reign, and continued by a Subsequent  
Act expired the twenty fifth Day of January last past and the  
same having been found usefull

BE IT THEREFORE ENACTED by his Honor the Lieutenant  
Governor the Council and the General Assembly and it is hereby  
Enacted by the authority of the same that the above mentioned  
act Entitled "An act for the better relief of the Poor in Dutchess  
"County" shall be and hereby is Revived and continued in full  
force untill the first Day of January which will be in the Year  
of our Lord One thousand Seven hundred and Seventy,

## [CHAPTER 1124.]

[Chapter 1124, of Van Schaack, where the title only is printed. Chapter 202 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 949. Expired January 1, 1770.]

An Act to revive an act Entitled "An act  
"further to impower the Justices of the Peace  
"in the County of Albany living and dwelling  
"in the Town of Schenectady in the said  
"County to drain the Water out of the streets  
"thereof" with an addition thereto

[Passed, June 10, 1760.]

WHEREAS an act Entitled "An act further to impower the  
"Justices of the peace in the County of Albany living and  
"dwelling in the town of Schenectady in the said County to  
"drain the Water out of the Streets thereof" passed in the  
Twenty seventh Year of his Majesty's Reign hath expired by  
its own limitation on the first day of January last and the said

act having by experience been found to be very usefull and beneficial in the said Town

BE IT THEREFORE ENACTED by his Honor the Lieutenant Governor the Council and the General Assembly and it is hereby enacted by the authority of the same that the above mentioned act Entitled "An act further to impower the Justices of the peace in the County of Albany living and dwelling in the Town of Schenectady in the said County to drain the water out of the Streets thereof" shall be and hereby is Revived and Shall be and remain in force from the Publication hereof to the first day of January which will be in the Year of our Lord One thousand Seven hundred and Seventy

AND BE IT FURTHER ENACTED by the authority aforesaid that the said Justices of the Peace in the County of Albany living or dwelling in the Township of Schenectady AFORESAID or the major part of them are hereby impowered and directed within a Reasonable time not exceeding three Years from and After the first day of May next to order and direct all and every of the Inhabitants of the said Town to level the Streets of the said Town and to dig out the middle thereof so that the same have a sufficient Descent to carry the Water from each side to the middle thereof and so to empty itself at the first convenient place or places and to pave both sides of the streets before their Respective Houses and Lots of Ground in the said Town now within the Stockadoes and the south Streets without the Stockadoes on both sides from the Stockadoes to the Houses of Ahasanes Manselius and Jacob S Vrooman the said pavements not to exceed in breadth in no place above Ten feet nor less than six feet as the said Justices in their discretion shall think fit And if any Person or Persons Inhabiting within the said Town or others having Houses or Lots of Ground within the same shall Refuse neglect or delay to Yield obedience to the orders and directions of the said Justices in that behalf to be given every such Person and Persons shall forfeit the sum of Forty shillings current money of this Colony for every months disobedience Refusal Neglect or Delay to be Recovered before any of his Majesty's Justices of the Peace and applied to the use of Paving the aforesaid Streets and in case the aforesaid Justices Neglect Refuse or delay to put this act in Execution so that the streets in the said Town of Schenectady be not

## [CHAPTER 1127.]

[Chapter 1127, of Van Schaack, and chapter 203 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act for the payment of the salaries and services of the several officers of the Government to the first day of September one Thousand seven hundred & Sixty one.

[Passed, November 8, 1760.]

BE IT ENACTED by his Honour the president the Council and the General Assembly and it is hereby Enacted by the authority of the same, that the Treasurer of this Colony shall and he is hereby directed and required out of the monies arisen or which may arise by virtue of the three following acts to-wit, an act for Granting to his Majesty the several Duties and Impositions on goods wares and Merchandizes imported into this Colony therein mentioned, an act for Emitting Bills of Credit for the payment of the Debts and for the Better support of the Government of this Colony, and other purposes therein mentioned, and an act to restrain Hawkers and pedlars from Selling without License in this Colony to pay the several sums of money following to-wit,

UNTO his Honour the President of his majesty's Council for administring the Government of this Colony from the Thirtieth day of July one Thousand seven hundred and Sixty to the first day of September one Thousand seven hundred and Sixty one, after the rate of one Thousand & Eight hundred pounds per annum.

UNTO his said Honour the President for providing fire wood and Candles for his majesty's Garrison in fort George, in the City of New York, from the first day of September one Thousand seven hundred and Sixty, to the first day of September, one Thousand Seven hundred and Sixty one, the sum of four hundred pounds.

UNTO the Second Justice of the Supream Court of this Colony for his services in that Station, and for going the Circuits from and to the time aforesaid, after the rate of Two hundred pounds per annum.

UNTO the Third Justice of the Supream Court of this colony for his Services in that Station, and for Going the Circuits from and to the time aforesaid after the rate of One hundred and fifty pounds per annum.

Unto the fourth Justice of the Supream Court of this Colony for his services in That Station and for going the circuits from and to the time aforesaid after the rate of One hundred pounds per annum.

UNTO the Secretary of this colony for the time being, for Engrossing and enrolling the acts of the Governor, Council and General assembly from and to the time aforesaid after the rate of Thirty pounds per annum

UNTO the Clerk of the Council for the time being, for his Services in that Station from and to the time aforesaid after the rate of Thirty pounds per annum

UNTO the Door keeper of the Council for the time being for his services in that Station from and to the time aforesaid after the rate of Twenty Pounds per annum

UNTO William Weyman publick Printer of this Colony for his services in that Station from and to the time aforesaid after the Rate of fifty pounds per annum

UNTO John Kip Guager of Liquors Subject to duties within this Colony or to the Guager thereof for the time being for his services in that Station from and to the time aforesaid after the rate of Thirty pounds per Annum

UNTO Thomas Hill and Josiah Smith Land and tide waiters or to the Land and tide waiters for the time being for their services in that station from and to the time aforesaid after the rate of fifty pounds per annum to each of them

ALL which aforesaid Several Sums of money shall be paid by the Treasurer Quarterly on warrants Issued by the Governor or Commander in Chief for the time being by and with the advice and Consent of his Majesty's Council, and the receipts of the several persons Endorsed on the said warrants, shall be to the Treasurer good vouchers and discharges for so much as shall be thereby acknowledged to be Received

AND BE IT ENACTED by the authority aforesaid that the Treasurer shall & he is hereby Directed and required, out of the funds aforesaid to pay the several allowances following, to wit,

UNTO Abraham Depeyster Esqr Treasurer of this Colony for his services in that Station from and to the time aforesaid after the rate of Two hundred pounds per annum, and for the Extraordinary services which he is now obliged to perform beyond the usual Duty of his office after the rate of the further sum of one hundred pounds per annum, which Said Several Sums or

so much thereof as shall be really and truly due shall be allowed to the said Abraham Depeyster or to his Executors or administrators as Good discharges for so much in his or their accompts

UNTO Robert Charles Esqr Agent for this Colony in Great Britain, as a Reward for his Care trouble and diligence in attending upon his majesty and his ministers of State, about the affairs of this Colony from and to the time aforesaid after the rate of Two hundred pounds per annum, which said Sum or so much thereof, as shall be really and truly due, shall be paid unto the said Robert Charles or to his Executors or administrators by an order of the General Assembly of this Colony, signed by the speaker for the time being and not otherwise.

UNTO the said Robert Charles or to his order for sundry disbursements made by him for the service of this Colony, during the Years, One Thousand seven hundred and Fifty Seven, One Thousand Seven hundred and Fifty Eight, one Thousand seven hundred and Fifty Nine and One Thousand Seven hundred and Sixty, as per his accompt the Sum of Three hundred Sixty four pounds Eleven shillings and Eight pence

UNTO the said Robert Charles or to his order for his Extraordinary Trouble in the serving of this Colony during the said four Years, the further sum of Two hundred pounds.

UNTO Abraham Lott Junr Clerk of the General Assembly for his services in that Station from the first of September one Thousand seven hundred and Sixty to the first of September one Thousand Seven hundred and Sixty one, twenty Shillings per Diem on a Certificate from the General Assembly signed by the speaker for the number of Days he has Served or may Serve, the General Assembly during that time.

UNTO the said Abraham Lott Junr, for sundry Disbursements, & Extraordinary services for the use of the General Assembly the Sum of Thirty pounds.

UNTO Alexander Lamb Doorkeeper of the General Assembly for his services in that Station from and to the time aforesaid Six shillings per Diem, on a Certificate from the General Assembly, signed by the Speaker for the number of Days he has served or may serve the General Assembly during that time.

UNTO the said Alexander Lamb for sundry disbursements & Extraordinary services by him made and Done for the use of the General Assembly the further sum of Seventeen pounds, Thirteen Shillings and Six pence.



And Be it Enacted by the Authority aforesaid that the Treasurer shall & he is hereby directed to keep exact Books of the several payments, which he is Directed to make by this Act, and shall render true and Distinct Accompts thereof upon oath, to the Governor or Commander in Chief for the time being the Council or General Assembly when by them or any of them he shall be thereunto required.

[CHAPTER 1128.]

[Chapter 1128, of Van Schnack, where the title only is printed. Chapter 203 (vol 2) of Livingston & Smith, where the act is printed in full. See chapter 1093. Continued by chapter 1157.]

An Act to continue an act Entitled "An act for Regulating the Militia of the Colony of New York" together with the several acts therein mentioned respecting the Regulating the Militia.

[Passed, November 8, 1760.]

BE IT ENACTED By his Honor the President the Council and the General Assembly and it is hereby enacted by the authority of the same That the act aforesaid Entitled "An act for Regulating the militia of the Colony of New York" Passed in the Twenty Eight year of his Majesty's Reign As also one other act Entitled "An act to continue an act Entitled An act for Regulating the militia of the Colony of New York with some additions thereto" Passed in the Twenty ninth year of his Majesty's Reign as also one other act Entitled "An act to amend an act Entitled an act for Regulating the militia of the Colony of New York" passed in the Thirtieth Year of his Majesty's Reign. And Likewise one other act Entitled "AN act further to continue an act Entitled "An act for Regulating the Militia of the Colony of New York together with the two acts therein mentioned Respecting the Regulating the Militia of New York with an addition thereto" Passed in the Thirty second Year of his Majesty's Reign, shall be and hereby are continued and every Clause article matter and thing in the said four acts contained Enacted to be and remain in full force and Virtue TO all Intents Constructions and purposes whatsoever from the first Day of January next Untill the first Day of January which will be in the Year of our Lord one thousand seven hundred and Sixty two.

[CHAPTER 1129.]

[Chapter 1129, of Van Schaack, and chapter 207 (vol. 2) of Livingston & Smith, where the title only is printed. See chapter 1094. Expired January 1, 1762.]

An Act further to continue an act Entitled  
"An act for Billetting and Quartering his  
Majesty's Forces within this Colony"

[Passed, November 8, 1760.]

BE IT ENACTED by his Honor the President the Council and the General Assembly and it is hereby enacted by the authority of the same That the act Entitled "An act for Billetting and Quartering his Majesty's Forces within this Colony" Passed in the Thirtieth Year of his Majesty's Reign shall be and hereby is continued and every Clause matter & thing therein contained Enacted to be and remain of Force to all Intents Constructions and purposes whatsoever Untill the first Day of January One thousand seven hundred and sixty two

[CHAPTER 1130.]

[Chapter 1130, of Van Schaack, and chapter 208 (vol. 2) of Livingston & Smith, where the title only is printed. See chapter 1097. Expired January 1, 1762, but see chapter 1181.]

An Act to continue an act Entitled "an  
act for the better apprehending & securing  
Deserters from his Majesty's Forces in  
America" together with another act therein  
mentioned.

[Passed, November 8, 1760.]

BE IT ENACTED by his Honor the President of the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same that the act Entitled "An act for the better apprehending and securing Deserters from his Majesty's Forces in America" passed in the Thirtieth Year of his Majesty's Reign as also another act Entitled "An act to Revive" act Entitled an act for the better apprehending and securing "Deserters from his Majesty's Forces in North America" Passed in the Thirty second Year of his Majesty's Reign shall be and hereby are continued And every Clause matter and thing in the said Two acts contained Enacted to be and remain in full force from the first Day of January next untill the first Day of January which will be in the Year One thousand seven hundred and sixty Two.

## [CHAPTER 1131.]

[Chapter 1131, of Van Echanck, and chapter 200 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act to Regulate the Collecting the Duty of Excise on Strong Liquors retailed in this Colony from the first Day of January one thousand seven hundred and Sixty one to the first Day of January One thousand Seven hundred and Sixty Two.

[Passed, November 8, 1760.]

BE IT ENACTED by his Honour the president of the Council and the General Assembly and it is hereby enacted by the authority of the same That Cornelius Clopper Shall be and hereby is appointed Commissioner for Collecting the Duty of Excise of and from the several Retailers of strong Liquors within the City & County of New York from the first Day of January One thousand seven hundred & Sixty one to the first Day of January One thousand seven hundred and sixty Two.

AND be it further Enacted by the Authority aforesaid that the said Commissioner Shall as Soon after the publication of this act as he shall judge Convenient Appoint the several Retailers within the said City and direct and ascertain what each Retailer Shall pay for the said Duty from the first Day of January One thousand seven hundred and sixty One to the first Day of January One thousand seven hundred and sixty two ALWAYS PROVIDED that the whole Sum to be laid on the several Retailers in the said City and County shall be the full and entire sum of Nine hundred and fifty four pounds with the additional Sum of One hundred Pounds for Incidental Charges and his Commissions Which last is to be at the Rate of Five per Cent For which said Sum of One hundred Pounds he shall account on Oath and if it exceeds his Commissions and Incidental Charges the surplus thereof shall be applied in case of the Next Years Excise and the said Sum of Nine hundred and fifty four Pounds shall by the said Commissioner be paid unto the Treasurer of this Colony on or before the first Day of January One thousand seven hundred and sixty two.

AND BE IT FURTHER ENACTED by the authority aforesaid That the several and Respective Persons hereafter named shall be and hereby are appointed Commissioners for Collecting

the Duty of Excise of and from the several and Respective Retailers within the several and Respective Counties of this Colony hereafter mentioned And the Harbours Bays and Rivers respectively thereunto adjoining and belonging vizt

For the City & County of Albany The Mayor Recorder & Aldermen of the said City

For Kings County Theodorus Polhemus

For Queens County Benjamin Townsend

For Suffolk County Richard Floyd Hugh Gelison and samuel Landon Esquires

For Westchester County Edward Stephenson Esquire

For Dutchess County James G. Livingston and Bernardus Filkin.

For Ulster County Captain Jonathan Haasbrouck and Joseph Gusherie.

For Orange County Major William Thompson and Jacob Concklin Esquire.

And For Richmond County Jacob Reseau Hezekiah Wright and Joseph Beadle Esqrs.

AND BE IT ENACTED by the authority aforesaid that the aforesaid Several and respective Commissioners or the major part of them Respectively shall as soon as Conveniently they can after the publication of this act meet at the County Halls of their several and Respective Counties or at such other place or Places as they the said Commissioners shall respectively appoint for putting in Execution the Powers and authorities given by this act At which time or at such other times as they shall Judge Necessary the said Commissioners or the Major part of them respectively Shall for their own counties severally and respectively fix the number and appoint the several retailers within their several and Respective counties and direct and ascertain what each Retailer shall pay for the said duty of Excise from the first Day of January One thousand seven hundred and sixty one to the first Day of January One thousand seven hundred and sixty two ALWAYS PROVIDED that the Sum to be laid on the several Retailers in the City & County of Albany Shall be the FULL and intire Sum of One hundred and Twenty seven pounds with the Sum of Thirteen pounds in addition thereto for the charges of managing the same.

ON the several Retailers in kings County the full and entire Sum of Forty pounds with the sum of Five pounds in addition thereto for the charges of managing the same.

ON the Several Retailers in Queens County the full and entire sum of One hundred and Twenty five pounds with the sum of Five pounds in addition thereto for the charges of managing the same.

ON the several Retailers in Suffolk County the full and entire Sum of sixty Pounds with the sum of nine Pounds in addition thereto for the charges of managing the same.

ON the several Retailers in Westchester County the full and entire Sum of seventy Pounds with the sum of Ten pounds in addition thereto for the charges of managing the same.

ON the Several Retailers in Dutchess County the full and entire sum of Forty two pounds with the sum of Eight pounds in addition thereto for the charges of managing the same.

ON the Several Retailers in Ulster County the full and entire sum of Thirty Eight Pounds with the sum of Eight pounds in addition thereto for the charges of managing the same.

ON the Several Retailers in Orange County the full and entire sum of Nineteen pounds with the Sum of three pounds in addition thereto for the charges of managing the same; and

ON the several Retailers in Richmond County the full and entire sum of Twenty five pounds, with the sum of Thirty shillings in addition thereto for the charges of managing the same.

AND BE IT FURTHER ENACTED by the authority aforesaid that the aforesaid Several and respective Commissioners shall before they enter on the Execution of the Powers and authorities given by this act enter unto Recognizances unto our SOVEREIGN Lord the King His Heirs and Successors before any Judge of the Supreme Court or of the Inferior Courts in the following sums that is to Say

The said Cornelius Clopper in the penal sum of One thousand Nine hundred and Eight pounds.

The said Theodorus Polhemus in the penal Sum of Eighty pounds.

The said Benjamin Townsend in the penal Sum of Two hundred & Fifty pounds.

The said Richard Floyd, Hugh Gelston and Samuel Landon in the penal Sum of One hundred & Twenty pounds.

The said Edward Stevenson in the penal Sum of One hundred and Forty pounds

The said James G. Livingston and Bernardus Filkin in the penal Sum of Eighty four Pounds.

The said Jonathan Haasbronck and Joseph Gasherle in the penal Sum of seventy six pounds.



The said William Thompson and Jacob Concklin in the penal Sum of Thirty Eight pounds, And

The said Jacob Beseau, Hezekiah Wright, and Joseph Beadle in the penal Sum of Fifty Pounds.

CONDITIONED that they shall well and truly pay to the Treasurer of this Colony on or before the first Day of January which will be in the Year of our Lord One thousand seven hundred and sixty two the several and respective sums to be laid in manner as aforesaid on the several and Respective Retailers within their several and respective Counties exclusive of the several and Respective Sums by this act allowed for the charges of Management.

AND BE IT FURTHER ENACTED by the authority aforesaid that the aforesaid several and respective Retailers shall pay the aforesaid several and respective Sums laid or to be laid on them unto the aforesaid several & respective Commissioners on or before the first Day of December One thousand seven hundred AND Sixty one for securing which Payment the said Commissioners shall respectively oblige the said Several and respective Retailers to give such security as they the said Commissioners shall judge Necessary PROVIDED that such Retailers in the City of New York as shall be Rated three pounds and under and such in the several Counties as shall be Rated at Thirty shillings and under shall not be permitted to have liberty to Retail unless they immediately Pay the several and respective sums they shall be Rated at to the aforesaid Commissioners any thing herein before contained to the Contrary, Notwithstanding

AND BE IT FURTHER ENACTED by the authority aforesaid That in Case any Person or Persons whatsoever other than such as the said Commissioners shall permit shall presume to sell any strong Liquors by Retail directly or Indirectly the offender or offenders shall for each such offence forfeit the sum of six pounds to be recovered by the said Commissioner or Commissioners respectively on the Oath of any one Credible Witness in a summary Way In the City's of New York and Albany before the Mayor or Recorder and one or more Aldermen of the said Cities Respectively and in the several Counties before any Justice of the Peace within the said Counties respectively And if upon Conviction the said forfeiture be not paid the same shall be levied on the Goods and Chatties of the offender or offenders by Warrant or Warrants under the hands and seals of the

Persons before whom such Conviction Shall happen And if no goods and Chattles are found on which to distrain It Shall and may be lawfull for the Persons who heard and determined the Cause to commit the offender or offenders to Goal, without Bail or Mainprize for the space of three montha unless the Penalties are sooner discharged And the said Respective Magistrates shall be and hereby are fully impowered directed and required to hear & Determine those Matters in the manner aforesaid and to give Judgment and if need be to award Execution thereon and to Issue a Warrant or Warrants for the Commitment of offenders as the case may require One third of WHICH forfeiture shall be to the Informer or Informers One third to the said Commissioners and one third to the Poor of the Town Manor or Precinct where the offence shall be committed to be paid into the hands of the Church Wardens or overseers of the Poor of the said Respective place or places by the officer or officers by whom the same shall be levied any thing in any of the acts of this Colony to the Contrary notwithstanding.

AND BE IT FURTHER ENACTED by the authority aforesaid That the Several Retailers who shall be permitted and allowed to retail by the said Commissioner or Commissioners shall before they do so Retail any Strong Liquor enter into Recognizances, that is to Say, In the Cities of New York and Albany before the respective Mayors thereof and in the several Counties of this Colony before two Justices of the Peace in the penal Sum of Twenty pounds with Sufficient Sureties in the like sum CONDITIONED to keep an orderly House according to Law during the time they shall be permitted to Retail as aforesaid. And thereupon the said respective Mayors or the said Justices shall grant to such Person or Persons who have entered into such Recognizance a License under his or their hands and Seals to Retail Strong Liquors in such house and place as shall be mentioned therein During the continuance of this act Which Recognizances are to be Lodged by the Person or Persons before Whom the same shall be taken VIZt In the Cities of New York and Albany with the town Clerks and in the several Counties with the respective Clerks thereof and upon Complaint of the Breach of the said Condition it Shall be Lawfull for the said Mayors and Aldermen of New York & Albany or the greater Number of them and in the Counties for the Justices of the General and Special Sessions of the Peace

to Suppress the Licence or Licences of such Offender or Offenders.

AND BE IT FURTHER ENACTED by the authority aforesaid that in case any of the Persons who shall be permitted to retail Strong Liquors as aforesaid by the said Commissioner or Commissioners shall presume to RETAIL before Licence be obtained or a Recognizance be Entered into to keep an Orderly House the Person so offending shall forfeit the sum of six Pounds for each offence to be recovered in a summary way in the Manner before directed one half thereof to the Informer or Informers and the other half to the Poor of the Town Manor or Precinct where the forfeiture shall arise.

AND that the expence of being Qualified to retail may be within the Bounds of Moderation BE IT ENACTED by the authority aforesaid that no more shall be taken for a Licence and recognizance in the Cities of New York and Albany than the usual and accustomed Fees and in the respective Counties than the Sum of Three shillings.

AND BE IT FURTHER ENACTED by the authority aforesaid that Such Persons permitted to Retail as aforesaid by the said Commissioner or Commissioners who Retail Strong Liquors not to be drank in their own Houses but carried Elsewhere shall not be obliged to enter into Recognizances and take Licences as aforesaid Any thing Contained in this act to the contrary notwithstanding.

AND BE IT ENACTED by the authority aforesaid that in case all the several Sums for which the Excise Shall be let in the several and respective Cities & Counties of this Colony shall fall Short of the sums herein before Rated on the said Several and respective Cities and Counties with the aforesaid incidental charges of letting and Collecting the same then the Commissioner or Commissioners aforesaid where Such Deficiencies Shall happen Shall be and are hereby impowered to call the Retailers before them and assess and Rate such sum and Sums upon them as shall be Sufficient to make up such Deficiencies Which said additional Sums shall be collected and paid in the same manner with the Several and Respective sums first laid

AND BE IT FURTHER ENACTED by the authority aforesaid that in CASE of the Death of any of the aforesaid Commissioners the Surviving Commissioner or Commissioners where such Death may happen Shall be and hereby is and are Intitled to the whole reward and vested with the Same Powers and

authority to Execute this act as if no such Death had happened And in case of the Death of all the Commissioners of any of the respective Cities & Counties then the Sheriff or Sheriffs for the time being of the Cities Counties or County where such Death may happen shall be and hereby is and are Vested with all the powers and authorities given to the Commissioners by this act Shall be under the same Regulations & Intitled to the same Rewards to all Intents Constructions and purposes whatsoever as if they had been particularly named and appointed in this act any thing in this act to the contrary notwithstanding

AND BE IT FURTHER ENACTED by the authority aforesaid That all the monies to be paid the Treasurer of this Colony by Virtue of this act shall be employed for and towards Cancelling the Bills of Credit Struck and Emitted upon the said Duty of Excise at the times and in the manner directed in and by an act Entituled "An act for the more effectual Cancelling the Bills of Credit of this Colony" Passed in the Twenty first Year of his Majesty's Reign, and to and for no other use whatsoever.

AND BE IT FURTHER ENACTED That the Retailers in the City of New York shall pay the Excise in three several Payments or Sooner as the Commissioner & they shall agree PROVIDED ALWAYS That nothing in this act shall be construed to make Void abridge or in any Wise lessen the several Rights and Privileges granted unto the Cities of New York and Albany by their respective Charters any thing contained in this act to the Contrary thereof notwithstanding

#### [CHAPTER 1132.]

[Chapter 1132, of Van Schanck, and chapter 210 (vol. 2) of Livingston & Smith, where the title only is printed. Livingston & Smith and Van Schanck, state that this act was repealed by the King March 11, 1762, notified thereof in Council here June 11, 1762.]

#### An Act for the Better Government & Regulation of Seamen in the merchants Service.

[Passed, November 8, 1760.]

WHEREAS the welfare and riches of this colony principally depend on its trade and navigation the same being of great use and benefit, and tending very much to enriching the inhabitants thereof, upon which great numbers of the artificers & manufacturers Livelihoods wholly depend, and Whereas for several

Years last past the Navigation carried on by the merchants to parts beyond the Seas hath been and Doth still remain under very Considerable Difficulties and expences by the uncertainty they Labour under by Seamen and mariners, who ship themselves on board merchant Ships & after they have so done neglect their duty and will not remain on board their ships or Vessells to Discharge their duty; and very often when Ships and vessells come to be cleared out, in order to proceed on their respective voyages the Seamen refuse to proceed with them, without coming to new agreements for increasing their wages and many of them will Leave their Ships and Vessels and not proceed on their voyages which puts the owners of such ships and vessels to Great Trouble & charges to Get other Sailors or mariners in their Stead, and often is a means to overset the voyages of such Ships and Vessels to the Great prejudice of the owners and freightors of the Goods on Board the said Ships & Vessels and Yet such seamen and mariners after they have Committed such offences & Disorders will bring actions against the owners or masters of the said Ships and vessels for the Recovery of their wages from the time of their shipping themselves unto the time they quit the said Ships and vessels, and Whereas many of the said Seamen and Mariners will neglect their Duty when on Board at Sea, and desert their Ships and Vessels in foreign parts, which puts the said owners of Ships and Vessels to very Great Difficulties and Expences to Get others in their stead, to Bring their Ships and Vessels home & afterwards such Seamen and Mariners insist on recovering their wages notwithstanding their voluntary Desertion; All which is extremely detrimental to trade and navigation therefore in order to prevent such Practices for the future

BE IT ENACTED by his Honour the President the Council and the General Assembly and it is hereby Enacted by the authority of the Same, that from and after the Publication hereof, it shall not be Lawful for any master or Commander of any Ship or Vessel bound from any port in this Colony to any parts beyond the Seas, to carry any Seamen or mariners, except his apprentice or apprentices or Servants to Sea from the port or place where he or they were Entered, or Shipt to proceed on any Voyage to parts beyond the Seas, without first coming to an agreement or Contract with Such Seamen or Mariners for their wages, which agreement or agreements shall



be made in Writing, declaring what wages each Seaman or Mariner is to have respectively, during the whole voyage or for so long time as he or they shall ship themselves for; AND also to Express in the said agreement or Contract the Voyage for which such Seaman or mariner was shipt, to perform the same; and in Case any master or Commander of any ship or vessel shall carry out any seaman or mariner except his apprentice or apprentices or servants upon any Voyage to parts beyond the seas, without first Entering into such agreement or Contract as aforesaid, and he and they signing the same such master or Commander shall forfeit and pay the sum of five pounds for every such Seaman or mariner, which he shall Carry to Sea, without Entering into such agreement in writing as aforesaid, to the use of the poor of the County where it shall happen, to be recovered upon Information on the oath of one or more witness or witnesses before any one or more of his Majesty's Justice or Justices of the peace, who are hereby authorized and required to Issue out his or their warrant or warrants to bring before him or them such master or Commander of any Such ship or vessel, and in case he or they refuse to pay such penalty or forfeiture as aforesaid to Grant his or their warrant or Warrants to Levy the Same by Distress and Sale of the Offenders Goods, and in Case no distress can be found to Commit the offender or offenders to the Common Goal of the city, county Town or place, there to remain until he or they shall pay the Same.

II. AND BE IT FURTHER ENACTED by the Authority aforesaid that if any Seaman or mariner Enter or Ship himself on board any Merchant Ship or vessel on any intended Voyage for Parts beyond the Seas he & they so entering themselves as aforesaid, shall & they are hereby obliged to sign such agreement or Contract within three Days after he or they shall have entered themselves on board any Ship or vessel in order to proceed on any Voyage as aforesaid, which agreement or agreements or Contracts, after the signing thereof, shall be conclusive & binding to all parties for and during the time or times so agreed or contracted for to all intents and purposes, any Law, usage or Custom to the Contrary in any wise notwithstanding.

III. AND BE IT ENACTED & Declared by the authority aforesaid that in case any seaman or Mariner shall desert or Refuse to proceed on the Voyage on board any ship or vessel

bound to parts beyond the Seas as aforesaid or that shall desert from the ship or vessel to which he or they shall belong in parts beyond the seas after he or they shall have signed such Contract or agreement he or they shall forfeit to the owners of such Ship or vessel the wages which shall be Due to him or them at the time of his or their deserting from such Ship or Vessel or obstinately refusing to proceed on Such Voyage.

IV. AND BE IT FURTHER ENACTED that in case any such Seaman or Marriner shall desert or absent himself from any such Ship or Vessel after he or they have entered into and signed such Contract or agreement to proceed upon any voyage to parts beyond the Seas as aforesaid, upon application made to any of his Majestys Justices of the peace within their respective Jurisdictions, by the master or Commander owner or owners or other person or persons having Charge of the said Ship or Vessel, to which such Seaman or marriner did belong it shall & may be Lawful for such Justice or Justices and they are hereby required to Issue forth his or their warrant or warrants to apprehend such seaman or marriner & in Case he or they shall refuse to proceed on the voyage for which he or they Entered into Contract or agreement to perform as aforesaid and shall not Give a Sufficient reason for such refusal to the Satisfaction of such Justice or Justices then to Commit such seaman or marriner to the house of Correction there to be kept to hard Lab or until the said ship or vessel is ready to proceed to Sea when the said Justice or Justices, shall Cause such seaman or marriner to be Conveyed on board the said Ship and oblige him to go the Voyage agreeable to the Contract or agreement by him Entered into and Such Seaman & Marriner shall pay all Charges of prosecution besides the sum of five pounds forfeiture for the use of the poor of the City or County where it shall happen which the master or Commander of such Ship or vessel shall be and hereby is authorized and allowed to Deduct out of the wages due or to become due to such Seaman or marriner & is hereby directed to pay the said forfeiture to the Church wardens or overseers of the poor of the said City & County and on his neglect or refusal to be by them recovered before any Justice of the Peace for said City or County

V AND BE IT ENACTED by the Authority aforesaid that in case any Seaman or marriner shall absent himself from the Ship or vessel to which he shall belong without leave from the master or commander or other chief officer having the charge of

such ship or vessel every such seaman or mariner shall for every such Days absence forfeit three days pay to the use of the owner or owners of such ship or vessel to be recovered before any one Justice of the peace of the City or county where the Same shall happen

VI AND WHEREAS Seaman and mariners after their Ships arrival at their unlivering Port in this Colony often times leave the Ships or Vessels before they are unladen or before the said Seaman and mariners are Discharged by the masters or Commanders of such Ships and Vessels, in order to prevent such practices for the future

BE IT FURTHER ENACTED BY THE AUTHORITY AFORESAID, that in case any seaman or mariner not Entering into the service of his Majesty his heirs & successors shall leave such ship or Vessel to which he or they belong before she is unladen, and before he or they shall have a discharge in writing from the master or Commander, or other person having the charge of such ship or Vessel he or they so leaving such ship or Vessel shall forfeit one months pay to be recovered applied and disposed of, as is herein after Directed. Provided such unloading does not exceed fourteen days from the time of her arrival

VII AND BE IT FARTHER ENACTED by the authority aforesaid that upon the arrival of any Ship or vessel into this Colony from parts beyond the Seas, the masters or Commanders of such Ships or vessels shall be & they are hereby oblidge to pay the seamen and mariners belonging to such Ships or vessels their wages if Demanded, within Three days after such ship or vessel is unloaded as aforesaid Deducting out of such wages the penalties & forfeitures by this act imposed under the penalty of paying to such seaman or mariners that shall be unpaid contrary to the Intent and meaning of this act, twenty Shillings over and above the wages that shall be due to each person to be recovered by the same means and methods as the wages may be recovered, and Such payment of wages aforesaid shall be Good and valid in Law, notwithstanding any action Bill of Sale, attachment or incumbrance whatsoever.

VIII AND BE IT FARTHER ENACTED that no Seaman or mariner by Entering into or signing such Contract or agreement as aforesaid, shall be deprived of or Hindered from using any means or methods for the recovery of wages against any Ship, the master or owners thereof, which he may now lawfully make use of, and that in all cases, where it Shall or may be

necessary that the contract or agreement in writing aforesaid should be produced in Court, no obligation shall lie on any seaman, or marriner to produce the Same, but on the master, owner or owners of the Ship for which the wages shall be demanded, and no seaman or marriner shall fail in any suit, action or process for recovery of wages for want of such agreement or Contract being produced, any Law, usage or Custom to the Contrary notwithstanding

IX. AND BE IT FARTHER ENACTED that the masters or Commanders, or owners, of any ships or vessels shall and they hereby have full power to deduct out of the wages of any seaman or marriner, all the penalties and forfeitures to be incurred by this act and to Enter them in a book or Books to be kept for that purpose and to make oath if required to the truth thereof, which Book or Books shall be signed by the said master Commander of each Ship or Vessel respectively & two or more principal officers belonging to such Ships or vessels setting forth that the penalties and forfeitures contained in such Book or Books are the whole penalties and forfeitures stopt from any seaman or marriners during the whole voyage, which penalties and forfeitures (except the forfeiture of wages to the owners on the Desertion of any Seaman or marriner, or on refusing to proceed the voyage) shall go to, & be applied to the use of the poor of the city or county where the same shall be recovered, and not otherwise to be paid and accounted for by the masters & commanders of ships & Vessels Coming from parts beyond the seas to the Church wardens or overseers of the poor of said city or county, who shall have and hereby have full power to administer an oath to every Commander or master respectively touching the truth of Such Penalties and forfeitures to be paid and applied and disposed of as aforesaid

X AND BE IT FARTHER ENACTED by the authority aforesaid that in case any masters or Commanders or owners of any Ships or vessels shall deduct out of the wages of any seaman or marriners any of the penalties and forfeitures which by this act are directed to be deducted and applied to and for the use of the poor as aforesaid and shall not pay the money so deducted to the Church wardens OR overseers of the poor as aforesaid in the port or place where such deduction shall be made within one month after such deduction, every person so neglecting to pay the money Deducted as aforesaid shall forfeit & pay treble the value thereof, to the use of the poor aforesaid

which together with the money Deducted as aforesaid shall and may be recovered by the said Church wardens & overseers respectively, who are hereby authorized to sue for the same in any Court of record within the City or County where the default shall happen

AND WHEREAS Seamen and mariners belonging to vessels in the merchant's service have frequently procured themselves to be sued with intention to oblige the masters or Commanders of such vessels to advance them part of their wages before they are due or more than are due in order to put a stop to such suit or lose the benefit of such Seaman for the voyage on which such vessel is then bound, when in reality no Debt has been due from such Seaman or mariner to the person Commencing such Suit but the same has been brought by Collusion for the purposes aforesaid, To prevent such Fraudulent Practices for the future.

BE IT FARTHER ENACTED by the authority aforesaid that no Seaman or mariner bound on a voyage to Sea shall be Sued or arrested by any person whatsoever, unless before the taking out Such process the Plaintiff or plaintiffs therein or some other person or persons on his or their behalf shall make Affidavit, before one or some Judge or Judges of the court out of which such process shall issue, or before some person authorized to take affidavits in such county of the Debt or cause of action & that such Debt is really and bona fide due to the plaintiff or plaintiffs from the Defendant or Defendants in the action in which such Process is Issued out, a memorandum of which oath shall be marked on the back of such process or writt, And if any person shall be nevertheless arrested contrary to the intent of this act it shall and may be lawful for one or more Judge or Judges of such Court upon Complaint made thereof by the party himself or by the Captain or Commander or the owner or owners of the vessel to which the said seaman or mariner shall belong to examine into the same by the oath of the parties or otherwise and by warrant under his or their hands and seals, to Discharge such seaman so arrested contrary to the intent of this act without paying any fee or fees upon due proof made before him or them, that such Seaman was actually belonging to such vessel and arrested contrary to the intent of this act, and also to award to the Party complaining such costs as such Judge or Judges shall think reasonable for the recovery whereof he shall have the like remedy that the



Plaintiff in the said action might have had for the recovery of his costs in case Judgment had been Given for him with costs against the Defendant in the said action

AND BE IT FURTHER ENACTED by the authority aforesaid that if any Tavern keeper or Inholder within this Colony shall after the publication of this act presume to trust or Credit any Seaman or marriner more or above the sum of ten shillings Current money of this Colony, he she or they so trusting or crediting any Seaman or Marriner more than the sum of ten shillings as aforesaid for any sort of strong liquors or other Tavern expences shall Lose the Debt and hereby be Disabled from ever recovering the said Debt or any part thereof, and if any Tavern keeper or Inholder shall presume to sue for any such Debt Contrary to the true intent & meaning of this act, every such plaintiff in such Suit, shall become non Suit & pay Double Costs

AND BE IT FURTHER ENACTED by the authority aforesaid that if any Tavern keeper or Inholder shall take or Get, from any Seaman or Marriner trusted as aforesaid, any Obligation, Bill, or other Security for any sum above the sum of Ten shillings, under pretence that it is for other Goods and thereof be Convicted he, she, or they so offending shall forfeit double the Sum of Such obligation so taken, the one half to the poor of the Parish where the forfeiture shall arise the other half to any person who shall Sue for the Same in any Court of Record within this Colony

AND BE IT FURTHER ENACTED by the authority aforesaid that if any Tavern keeper or Inholder, shall Sue any Seaman or marriner for any sum of money not exceeding the sum of Ten Shillings, the said person so Suing, shall upon bringing such Suit take an oath, that the Sum so by him or her Sued for is the whole and Entire Debt due to him or her from the Defendant at that time, and the Plaintiff shall be thereby disabled from recovering any other debt Contracted by the said Defendant with the said Plaintiff before that time for Strong liquors or any other Tavern Expences be the Same by Specialts or otherwise, any Law, usage or custom to the Contrary hereof notwithstanding

AND BE IT FARTHER ENACTED by the authority aforesaid that every marriner belonging to any Ship or vessel arriving in any port of this Colony from any of his Majesty's plantations in America, and every master or commander of such Ship

or vessel shall be Entitled to the like Benefit & priveledges & be Subject to the like regulations, Penalties & forfeitures as the marriners or Seamen belonging to any ship or Vessel owned by Persons residing within or bound from any part of this Colony are hereby declared to be Entitled or subject unto with respect to the recovery of their wages & their neglect of duty and the respective remedies of the marriners Commanders or owners of vessels against each other as is herein before directed. PROVIDED that nothing in this act contained shall extend or be Construed to extend to debar any Seaman or marriner belonging to any merchant Ship or vessel from Enttring or being entered into the service of his majesty his heirs & successors on board any of his or their Ships or Vessels, nor shall any such seaman or marriner for such Entry forfeit the wages due to him during the Term of his service in such merchant Ship or Vessel, nor shall such Entry be Deemed a Desertion

AND BE IT FURTHER ENACTED by the authority aforesaid that this act shall be Deemed and taken to be a Publick act & all Judges and Justices are hereby oblidge to take notice of it as such without special pleading the Same.

AND BE IT FARTHER ENACTED by the authority aforesaid that this act shall be & continue of force from the publication hereof until the first day of January in the year of our Lord one Thousand seven hundred & Sixty four

#### [CHAPTER 1133.]

[Chapter 1133. of Van Schaack, where the title only is printed. Chapter 211 (vol. 2) of Livingston & Smith, where the act is printed in full. Continued by chapter 1135. ]

AN ACT FURTHER TO CONTINUE THE CURRENCY of the Bills of Credit Emitted by virtue of an act Entitled an act for Emitting Bills of Credit for the payment of the Debts and for the better support of the Government of this Colony & other purposes therein mentioned

[Passed, November 8, 1760.]

WHEREAS an act Entitled an act for Emitting Bills of Credit for the payment of the Debts and for the better support of the Government of this Colony & other purposes therein mentioned passed in the Eleventh Year of his majesty's Reign

Has, by several subsequent acts been Continued & prolonged until the Third Tuesday in April, which will be in the Year of our Lord one Thousand seven hundred & sixty one, and WHEREAS the Circumstances of the Colony still require the aid of the Interest money arising on the Bills of Credit Issued by the act first aforesaid for supporting the Government Thereof.

BE IT THEREFORE ENACTED by his Honour the President the Council and the General Assembly, and it is hereby Enacted by the authority of the Same, that the time for which the said Interest money Stands appropriated for the Support of the Government of this Colony by the Last Subsequent act aforesaid Entituled an act further to Continue the Currency of the Bills of Credit Emittid by Virtue of an act Entituled 'An Act for Emittid Bills of Credit for the Payment of the Debts and for the better support of the Government of this Colony and other purposes therein mentioned shall be and hereby is Deferred, removed and further prolonged until the Third Tuesday in the month of April which will be in the Year of our Lord one Thousand Seven hundred & Sixty two, any Thing in any of the aforesaid acts to the Contrary notwithstanding, and that at the time last mentioned one fourth part of the said Bills of Credit & the remainder thereof in the next three succeeding Years shall be paid in Cancelled and destroyed at the times and in the manner directed in & by an act Entituled an act for the more Effectual Cancelling the Bills of Credit of this Colony passed in the Twenty first Year of his Majesty's Reign. & that as well the said first mentioned act as one other act Entituled an act to Facilitate and Explain the Duty of the Loan officers in this Colony, passed in the said Eleventh Year of his Majesty's Reign, & Every the Clauses, articles matters and things in them Contained shall be and hereby are Enacted to Continue & remain in full force and virtue, To all intents Constructions & purposes whatsoever until the Third Tuesday in April which will be in the year of our Lord one thousand seven hundred & Sixty five, any thing in the said acts to the Contrary notwithstanding.

AND BE IT ENACTED by the authority aforesaid that the said Bills during the time they are hereby Enacted to remain Current shall continue to be put out at Interest in the Same manner and method as in the said first mentioned act is Directed and that all the Interest money which may arise on them

during that time, shall from time to time be Employed to & for the Support of the Government of this Colony in such manner as Shall by act or acts hereafter to be passed for that purpose be ordered and directed and not otherwise. Except so much thereof as may be necessary for sinking and Cancelling the sum of Eight Thousand & fifty nine Pounds fourteen shillings and Eleven pence Emittid in Bills of Credit by virtue of the act first aforesaid for paying the Debts then Due from this Colony.

AND BE IT ENACTED by the authority aforesaid that the Loan officers of the Several Citys & counties, within this colony for the time being shall be and hereby are fully Impowered and authorized to alter the form of all such mortgages as shall by them or any of them hereafter be taken in any of their offices in relation to the time and times of payment in such manner as to make the same answerable to the true intent and meaning of this act, any thing in any of the aforesaid acts to the Contrary Notwithstanding

AND BE IT ENACTED by the authority aforesaid that Whosoever the Loan officers of the several Citys and County's within this Colony shall from the Information of any of the Supervisors in the respective County's of this Colony, or from the Information of the Justices & vestrymen of the City of New York or the major part of them have Sufficient reason to suspect the Insufficiency of any of the Securities taken or to be taken for any Sums of money lent or to be Lent out of any of their several offices, either as to the Value or Title of the said Securities, they the said Loan officers shall be and hereby are Impowered and required to demand payment of the principal sums notwithstanding the Due payment of the Interest thereof or further sufficient security, and upon failure of the due payment of such principal sums or refusing or neglecting to Give further sufficient security within fourteen days after such Demand made to proceed to the sale of the Mortgaged Lands or to such other remedy as is given by the first aforesaid act, according to the nature of the Case & therein to pursue the rules & Directions prescribed in and by the said act any thing therein contained to the Contrary notwithstanding

AND BE IT FURTHER ENACTED by the authority aforesaid that If any of the persons who Became securities for the Loan Officers pursuant to the first aforesaid act shall be desirous of being discharged from Continuing Longer under their said Engagements they shall Give notice thereof in writing to the

Supervizors of the Respective County's or to the mayor & aldermen of the respective City's where they stand Engaged between the first Tuesday in February & the first Tuesday in March in the Year one Thousand Seven hundred and Sixty one, and the said Supervizors or mayor & aldermen Respectively shall immediately thereafter give notice in writing to the respective Loan officers, whose Sureties so Desire to be discharged, that he or they do by the first Tuesday in April then next following, provide and give new security, and in Case any of the Loan officers aforesaid so notified as aforesaid shall fail in Giving new Surety to the Satisfaction of the said Supervizors or Mayor & Aldermen respectively by the said Days then the said Supervizors or mayor & aldermen respectively shall proceed to the choice of a New Loan officer or Loan officers in the room and stead of such so failing & in their proceeding thereon shall pursue the Directions of the first aforesaid act with respect to the Choice of New Loan officers in the several Cases therein mentioned, any thing in this or the aforesaid acts to the Contrary notwithstanding.

#### [CHAPTER 1131.]

[Chapter 1134. of Van Schaack, and chapter 212 (vol 2) of Livingston & Smith, where the act is printed in full. Continued by chapter 1329.]

An Act for making process in courts of Equity Effectual against mortgagers who abscond and cannot be served therewith or who refuse to appear.

[Passed, November 8, 1700.]

WHEREAS the Rents of Lands in this Colony are very inconsiderable and in many cases will not amount to a sum sufficient to answer the Interest of monies for which the same are mortgaged, and

WHEREAS persons who have mortgaged their Estates in this Colony frequently withdraw themselves beyond the seas, or otherwise abscond out of the Colony by means whereof no process out of the Courts of Equity in the said Colony can be served on such persons and thereby mortgagees have been prevented from proceeding in Equity for the recovery of their Just Debts to their very Great damage, for the Remedy of this inconvenience.



BE IT ENACTED by his Honour the president the council and the General assembly and it is hereby enacted by the authority of the same that if in any suit hereafter to be Commenced by a mortgagee in any Court of Equity against any Mortgagor against whom a subpoena or other process shall issue, such mortgagor shall not cause his her or their appearance to be Entered upon such process within one year after issuing such Subpoena or process in such a manner as according to the rules of the Court the same ought to have been entered, in Case such process had been duly served and an Affidavit shall be made to the Satisfaction of such Court that such mortgagor is withdrawn out of the Colony, or Cannot upon due Enquiry be found within the same so as to be served with such process, that in such case the court out of which such process Issued may make an order directing such mortgagor to appear at a Certain day therein to be named a Copy of which shall within twenty days be inserted in the publick News paper or papers in the same Colony, and a Copy of the Same order shall also be posted up within the time aforesaid at the parish church or place of publick worship in the Parish District or precinct in which Such Mortgagor Last dwelled or resided before leaving the Colony at Least Three sundays and if such mortgagor do not appear within the time Limited by such order or within Such further time as the Court shall appoint, then on proof made of the Publication of such order in manner aforesaid, the Court being Satisfied of the Truth thereof may order the Plaintiffs Bill to be taken pro Confesso and thereupon Decree a Sale of the mortgaged premises or only part or parts thereof as to the said Court shall seem just and Right

AND Be it further Enacted by the authority aforesaid that before any decree shall be made on such Bill the Court shall cause the Mortgaged premises to be appraised on oath by two Indifferent persons to be appointed by the court that the value of the same may be known to the Court, as nearly as may be, before the decree be made and upon such Decree for the sale of the mortgaged premises or such part thereof as shall be thought sufficient to discharge the Debt due to such mortgagee together with his costs a writt shall be Issued from such court to the Sheriff of the County where such mortgaged premises Lie Commanding him to make sale of the Lands decreed to be sold at publick vendue, and to return the monies arising by the Sales into Court at a day to be mentioned in the same writt not less than seven months after the Tests and day

on which such writ Issued, and the said Sheriff shall thereupon cause an advertisement or notice of the intended Sale of such Lands to be Inserted in one or more of the publick News papers in this Colony and Continue the same in the said paper or papers weekly for six months before the Day to be by him appointed for the sale of the same and at the day so by him notified shall proceed to sell the same to the highest Bidder and shall Execute Deed for the same to the purchaser in such manner as the Case may require and such Deed shall be of the same validity and as beneficial to the purchaser as if such Deed had been Executed by the Mortgagee and Mortgagor and Shall be judged an intire bar against them & each of them and their and each of their heirs both in Law and Equity, and the monies arising by the Sale of the said mortgaged premises shall be applied to pay off, and Discharge the Debt Due to such Mortgagee, with such Costs as the Court shall award, and the Remainder if any be shall be put at Interest, on such Security as the said Court shall think Sufficient and the Same shall be paid to the Mortgagor or his Executors administrators or assigns upon his or their application to the Court for the same PROVIDED ALWAYS that no greater Estate in the premises sold shall at any time be Conveyed or granted by the Sheriff to such purchaser than would have vested in the mortgagee had the Equity of Redemption been duly foreclosed

PROVIDED also and be it Enacted by the authority aforesaid that If the Mortgagor shall at any time before the sale made by the sheriff in pursuance of such writt Issued to him as aforesaid cause his apperance to be duly Entered in such Court and Shall pay such Costs to the mortgagee as the said Court shall think Reasonable, that then a superedeas shall Issue from the said Court directed to the Sheriff to Stay his proceeding to the Sale of such mortgaged premises and upon such apperance being Entered such proceedings shall and may be thereupon had as if an apperance had been Entered within such time and in Such manner as according to the Rules of the Court the same ought to have been Entered in Case the first process in the suit had been duly served

AND BE IT FURTHER ENACTED by the authority aforesaid that in all Cases in which as aforesaid a Decree for the sale of the Mortgaged premises shall be made and the Mortgagee shall be paid the money alledged by him to be due as above Directed, that it shall and may be Lawfull for any such

Mortgagor within the space of seven years from the time of the Sale of such Mortgaged premises if he finds himself aggrieved, and that the mortgagee hath received more money than was Bona fide due to him on the Mortgage to file his Bill in the said Court against Such Mortgagee to Compel him to account with and Settle what was really and truly the Sum due to such Mortgagee at the time of the sale of the mortgaged premises and to refund and repay him what shall be found such mortgagee hath been over paid together with Interest from the time of such payment made with Costs of Suit. The former decree for the Sale of the Mortgaged premises Notwithstanding.

AND BE IT FURTHER ENACTED by the authority aforesaid that from and after the first day of may next if any mortgagor by virtue of any writt of Habeas Corpus or other process Issuing out of any Court of Equity shall be brought into Court and shall refuse to Cause an appearance to be Entered according to the Rules of the Court such Court shall and may appoint a Clerk in Court or attorney of such Court to Enter such mortgagors appearance and such proceedings may be thereupon had in the Cause as if the party had actually appeared.

And Be it further Enacted by the authority aforesaid that this act shall be in force as to the commencement of any suit by Virtue thereof from the publication hereof to the first day

January which will be in the Year of our Lord one Thousand seven hundred and Sixty Eight and no longer and as to all Such Suits as Shall be brought or Commenced during the Term aforesaid untill the same shall be finally determined

#### [CHAPTER 1135.]

[Chapter 1135, of Van Schuick, and chapter 213 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act to Impower William Baker and Robert Charles Esquires of the City of London to receive certain Sums of money allotted to this Colony by his Majesty out of the monies Voted by Parliament for the northern Colonies.

[Passed, November 8, 1700.] }

WHEREAS the Parliament of Great Britain did in the Month of March last Grant the Sum of Two hundred thousand pounds

for the northern Colonies and no Person being authorized to receive the proportion that His Majesty shall be Graciously pleased to allot to this Colony in Consideration of the great expences it hath been put to in Levying Paying and Cloathing a large Body of Troops to assist his Majesty's General and Commander in Chief in the Reduction of Canada.

BE IT THEREFORE ENACTED by his Honour the President the Council and the General Assembly and it is hereby Enacted by the authority of the same That William Baker & Robert Charles Esqs, shall be and hereby are authorized and empowered to Receive all Such Sum and sums of money as are or Shall be allotted by His Majesty for this Colony out of the said sum of Two hundred thousand pounds and also the Sum of Two thousand nine hundred and Seventy Seven pounds Seven shillings and Eight Pence Sterling allowed by Parliament as a reimbursement to this Colony for Provisions furnished for their Provincial Forces in the Year one thousand Seven hundred and fifty six Which Sums of money together with what may remain in the hands of the said William Baker and Robert Charles Esquires of the sum of Twenty three thousand and Sixty nine Pounds thirteen Shillings Sterling by them received by Virtue of an act passed in the thirty third year of his Majesty's Reign Entitled "An act to empower certain Persons in the City of London to Receive the Quota that shall be allotted to this Colony by his Majesty out of the Two Hundred thousand pounds granted by Parliament for the northern Colonies" The said William Baker and Robert Charles Esquires are hereby directed to Pay to the order of the Treasurer of this Colony Who is hereby authorized and required to Draw Bills for the same To sell the said Bills to the best advantage and to keep true and Exact accounts of the money that shall come to his hands by the Sale thereof

AND be it further Enacted by the authority aforesaid that So much of the money that shall be received by the Treasurer by Virtue of this act as is not already applied by act heretofore made shall remain in the Treasury untill it shall be disposed of by act or acts hereafter to be passed for that purpose

## {CHAPTER 1136.]

[Chapter 1136, of Van Schaack, where the title only is printed. Chapter 214 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapters 432 and 898. Continued by chapter 1417.]

An Act to continue an act Entitled "An act to prevent the setting on Fire or Burning the old Grass on Hempstead Plains" with an addition thereto

[Passed, November 8, 1700]

BE IT ENACTED by his Honour the President the Council and the General Assembly and it is hereby Enacted by the authority of the same That the act Entitled "An act to prevent the setting on Fire or Burning the old Grass on Hempstead Plains" passed in the Twelfth Year of his late Majesty's Reign and by several Subsequent acts continued to the first Day of January in the Year of our Lord One thousand seven hundred and Sixty old Stile shall be and hereby is further continued and every Clause Article matter and thing therein contained Enacted to be of full force and Virtue to all Intents Constructions and purposes whatsoever untill the first Day of January which will be in the year of our Lord One thousand seven hundred & seventy

AND WHEREAS several of the Persons appointed in the Said acts to put the same in Execution with respect to the Extinguishing of Fire are either Dead or Removed from the Respective Plantations where they formerly Resided By which means the good Ends and purposes thereby Intended may be Frustrated, for preventing whereof BE IT ENACTED BY THE AUTHORITY AFORESAID that the Persons hereafter named (vizt) William Cornel, John Rock Smith, Richard Williams, Nathaniel Seaman, John Willis, RICHARD POST Richard Willets of Jericho, John Robbins Silas Smith Richard Powel James Seaman John Jackson Esqr. John Birdsall Junior, David Batty John Hull and John Durland shall be and hereby are appointed to put in Execution the Several Powers and authorities given by the said first mentioned act to the Persons therein appointed for that purpose and the said Persons above named are hereby Vested with as full power and authority in that respect as if they had been appointed in and by the said first mentioned act any thing therein contained to the Contrary Notwithstanding



## [CHAPTER 1137.]

[Chapter 1137, of Van Schaack, where the title only is printed. Chapter 215 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapters 590, 853. Continued by chapter 1418.]

An Act further to continue an act Entitled  
 "An act to prevent the Penning and Folding of  
 "sheep and neat Cattle feeding on Hempstead  
 "Plains"

[Passed, November 8, 1700.]

WHEREAS an act Entitled "An act to prevent the Penning  
 "and Folding of Sheep and Neat Cattle feeding on Hempstead  
 "Plains" passed in the seventh Year of his present Majesty's  
 Reign and by several subsequent acts continued to the first  
 Day of December in this present Year of our Lord one thousand  
 seven hundred and sixty and the said act having been found  
 beneficial

BE IT ENACTED by his Honour the President the Council  
 and the General Assembly and it is hereby Enacted by the  
 authority of the Same That the said above mentioned act Enti-  
 tled "An act to prevent the Penning and Folding of Sheep and  
 "Neat Cattle feeding on Hempstead Plains" shall be and  
 hereby is Continued and every clause article matter and thing  
 therein Contained Enacted to be of full force and Virtue To  
 all Intents Constructions and purposes whatsoever untill the  
 first Day of January which will be in the Year of our Lord One  
 thousand seven hundred and seventy

## [CHAPTER 1138.]

[Chapter 1138, of Van Schaack, and chapter 216 (vol. 2) of Livingston  
 & Smith, where the act is printed in full. The act repealed is chapter  
 949.]

An Act for the better regulating the taxa-  
 tion of Estates in Queens County and for re-  
 pealing an act Entitled an act for the more  
 Equal Taxation of Estates in Queens County  
 passed in the Twenty Seventh year of his  
 present Majesty's Reign

[Passed, November 8, 1700.]

BE IT ENACTED by his Honour the president the Council  
 and the General Assembly and it is hereby enacted by the

authority of the same that from and after the publication of this act, each respective Town, manor or precinct within Queens county shall be & hereby are Enabled to chuse & Elect yearly and every year at their annual meetings for the choice of Town officers such and so many persons, being freeholders to be assessors for the Respective Towns manors & precincts as the majority of the freeholders then assembled shall Judge Necessary, not Exceeding four for each Respective Town, manor or precinct, which assessors so chosen and Elected, shall each of them before they enter on the duty of their office take an oath or if quakers an affirmation to the following Effect, To wit, That they shall & will well, truly Equally and Impartially assess all the whole Real & personal Estates of all the freeholders and Inhabitants of the respective Towns, manors or precincts for which they shall be Chosen Assessors and of all Such as have Estates there & not residing therein, and the Said Inhabitants of the respective Towns Manors & precincts shall be and hereby are Enabled and Impowered at their said annual meetings to make such allowance for the Service of their Several and respective assessors as the majority of the freeholders & Inhabitants then present shall Judge Sufficient, which said allowance shall be added to and raised with the tax, annually raised for the Maintenance of the Minister and poor of the said respective places & collected & paid accordingly

AND BE IT ENACTED by the authority aforesaid that the assessors so Chosen and qualified as aforesaid shall as soon as they Conveniently Can after such Qualification proceed in making their assessments and shall make out a true & exact List of all the names of the freeholders & Inhabitants of the respective Towns Manors & precincts, for which they shall be Chosen assessors and of such who have Estates therein, & not residing there, and against the name of every such person Shall set down the Value of all his or her whole Estate real & personal as nigh as they can Discover the Same, setting down for every hundred pounds real value, four pounds & in that proportion for a Greater or Lesser sum, which Lists they shall Compleat and deliver unto the Supervisors of the said County or unto their Clerk on or before the first Tuesday in June Yearly and every year after their said Election from the Sum Total of which assessment Lists so brought in and Delivered to the Supervisors as aforesaid from the respective Towns and

manors, for which they are respectively chosen, they the said supervisors shall Exactly Compute what each pound of the said sum Total is or ought to be Charged with of the Sum or Sums which are from time to time to be raised on the said County, which having found, they shall then add in every of the said Lists over against each persons name & the sum at which his or her Estate is assessed the particular sum which his or her Estate is rated at or Charged with of what is then to be raised on the said County adding thereto at what rate per pound the Computation is made, which being done the said Supervisors shall Transmit the said Lists so Complicated unto the Collectors of the Respective Towns manors and precincts from which the said Lists were brought, with warrants under their hands & Seals thereto annex'd Commanding the said Collectors respectively to Collect of and from all and every the person and persons Contained in the said Lists, their Executors or Administrators the several and respective Sums, at which their respective Estates are thereby rated, with power to Distrain for the Same in case any person or persons shall refuse or neglect to pay what their Estates are so rated at, and directing the said Collectors to pay all the said Sum or Sums of money so Collected according to the directions of the several act or acts by which the same are or may be laid on the said County, any thing Contained in any of the acts of this Colony to the Contrary hereof notwithstanding

AND BE IT FURTHER ENACTED by the authority aforesaid that If any assessor or assessors Chosen & Elected Yearly and every Year by virtue of this act, shall either Refuse to take the Charge upon him or them or having Excepted the same shall neglect his or their duty therein Each so refusing or neglecting shall respectively forfeit the sum of five pounds to be recovered by the Supervisors of the said County or any two of them with full Costs of suit, before any one of his Majesty's Justices of the peace for said County and be by them applied towards paying the Necessary & Contingent Charges of the said County in such manner as the said Supervisors shall think proper and the said assessment Lists made by such as shall and do Except of the Same and do their duty therein shall be as Good and Effectual as if all assessors Chosen Elected and Qualified as aforesaid had joined therein

AND BE IT FURTHER ENACTED by the authority aforesaid that If there be any Landed Estates lying within any of

the said Towns, manors or prebends whereon no persons are resident and no Moveable Effects thereon whereof distress can be made, Then it shall be Lawfull for the Collector or Collectors of such Town or manor wherein such Landed Estates do so ly and they are hereby authorized and impowered to Enter on such Lands and Cut and Carry off so much of the Timber or Grass growing or being thereon, as will be sufficient to pay what the said Estate or Estates is or shall be rated at, with all Costs and Charges arising thereon, any Law usage or Custom to the Contrary notwithstanding.

AND BE IT ENACTED by the authority aforesaid that the aforesaid act Entituled an act for the more Equal Taxation of Estates In Queens County passed In the Twenty Seventh year of his present Majesty's Reign shall be Immediately after the Commencement of this act Repealed and every Clause article & thing therein Contained is hereby made Null and void to all Intents Constructions and purposes Whatsoever.

#### [CHAPTER 1139.]

[Chapter 1139, of Van Schaack, and chapter 217 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 803.]

An Act for the better regulating and further laying out Publick highways in Queens County

[Passed, November 8, 1700.]

WHEREAS it is found necessary in Queens County that the Commissioners chosen by Virtue of an act Entitled "An act for the better clearing regulating and further laying out "Publick highways in Kings County Queens County Richmond County and Orange County" Should be vested with more power and authority than by the said act is given them

BE IT THEREFORE ENACTED by his Honour the President the Council and the General Assembly and it is hereby Enacted by the authority of the Same that the Commissioners of each respective Town in Queens County that Shall be hereafter Chosen to regulate and lay out highways or the Major part of them shall and may take a View of the Roads that have been heretofore laid out in the Respective Towns for which they shall be Chosen Commissioners and Such Roads as appear to them or the major part of them to be really inconvenient Shall and may alter the Same in Such manner as they or the major

part of them shall think convenient as well for Travellers as the Inhabitants of each respective Town and the next adjacent Towns Villages and Neighbourhoods And Such Roads as shall be found by them or the major part of them to be convenient Such Roads shall remain Continue and be as the same shall be so found by the said Commissioners And such ROADS that have heretofore been laid out in each respective Town that shall appear to the said Commissioners or the major part of them to be really unnecessary That the said Commissioners or the major part of them shall and may Stop up the same.

AND BE IT FURTHER ENACTED by the authority afore-said that where any Road hath heretofore been laid out contiguous to or through any Persons land and it shall appear to the said Commissioners or the Major part of them that another Road might be laid out through the said Persons Land that would be more convenient as Well for Travellers as for the Inhabitants of each respective Town That in such Case the said Commissioners or the major part of them are hereby empowered and they shall and may agree with the Said Owner or Proprietor concerning the same and shall and may Exchange the said Road already laid out for another Road to be laid out by the said Commissioners through the said Persons Land which agreement shall be good and Valid in the Law and the owner or Proprietor of Such Land shall hold and Enjoy the Land where such former Road was laid Out to him his Heirs and assigns for ever

AND BE IT FURTHER ENACTED by the said authority that the said Commissioners of every Town for which they shall be chosen and Elected shall from time to time Enter in writing all the High Ways or Roads by them altered Stopped up or approved of and Sign the same by putting their names thereto AND cause the Same to be entered in their Town Book or in the County Record and the several Clerks are hereby directed and required to enter the same and whatsoever the said Commissioners shall do according to the powers given them in this act being so entered in the Town Book or County Record shall be Valid and good to all Intents and purposes Whatsoever.



## [CHAPTER 1140.]

[Chapter 1140. of Van Schaack, where the title only is printed Chapter 215 (vol. 2) of Livingston & Smith, where the act is printed in full. Expired January 1, 1763.]

An Act for the more Equal Taxation of  
Estates in Ulster county

[Passed, November 8, 1760.]

WHEREAS the Taxing rating & assessing heretofore made by the assessors in the County of Ulster hath not been equal & in Due proportion according to the real and personal Estates which the freeholders & Inhabitants of said County do possess and enjoy; for the remedying whereof. BE IT ENACTED by his Honour the President the Council & General Assembly, & it is hereby enacted by the authority of the same, That the Supervisors of the said County or the majority of them shall at their annual meeting or meetings annually issue out their warrants Commanding the Assessors of each Respective Town, manor & precinct in the said County for the time being to rate all the Estates real and personal of all the freeholders & Inhabitants of & in the said several Towns manor & precincts for which they are Chosen or appointed, Respectively, & that they return at such time & place as by the said warrant shall be Directed, a List under their hands of every persons name with the sum or sums they shall in Pursuance of this act rate each person at annex to their Respective names, & the several assessors before they Enter upon the Duty of their offices shall each of them take the following oath before any of the Justices of the peace for said County, who are hereby respectively authorized & required to administer such Oath vizt.

I, A. B. Do swear on the holy Evangelists of almighty God that I will return a List according to the best of my knowledge containing the names of all the freeholders and Inhabitants within the District for which I am chosen or appointed assessor and that I shall & will well & truly Equally & impartially & in due proportion according to the Best of my skill and understanding, rate all the whole Estates real & personal (the unimproved Land excepted) of all the freeholders & Inhabitants of the place for which I am chosen or appointed assessor & that I will carefully according to the best of my skill & understanding compute the full value of every such Estate without any deduction for debt or supposed Debts or Incumbrances & against the

name of every such person will set down the value of all his or her whole Estate real & personal as nigh as I can discover the same and set down for each hundred pounds real value Ten pounds & in that Proportion for a Greater or Lesser sum. So help me God.

AND BE IT FURTHER ENACTED by the same authority, that the said supervisors shall make the quota of each respective place according to the total sum of each List returned as aforesaid & not otherwise & that the Clerk of the Supervisors shall Transcribe each List & add to each persons rate the sum or proportion each person is to pay of what the Supervisors find the said county chargeable with & when the said Lists are Completed the said supervisors or the Greater number of them are hereby required to issue their warrants Commanding the Collector or Collectors of each Town, manor or Precinct to Collect or pay the same, as by the warrant shall be directed

AND BE IT FURTHER ENACTED by the Authority aforesaid that every assessor or assessors who shall or may neglect Deny or refuse to perform the duty required of him or them by this act, shall forfeit the sum of forty shillings, which Forfeitures, shall be sued for and recovered with Costs of suit by any one of the Supervisors of said County, before any one of his majestys Justices of the peace, within said County which forfeiture so recovered shall be lodged in the hands of the County Treasurer and be applied by the Supervisors towards paying the Contingent & necessary Charges of said County.

This act to Continue in full force from the Publication hereof untill the first day of January one Thousand Seven hundred & sixty Three, and no longer, any law usage or Custom to the Contrary notwithstanding.

#### [CHAPTER 1141.]

[Chapter 1141, of Van Schaack, and chapter 219 (vol. 2) of Livingston & Smith, where the title only is printed.

An Act to Impower and enable the Mayor Recorder and Aldermen of the City of New York for the time being or the major part of them to order the raising a Sum not exceeding Five hundred Pounds by a Tax on Estates Real and Personal in the said City.

[Passed, November 8. 1700]

WHEREAS the very Extraordinary expence of finishing the new Goul Purchasing the Island commonly called Bedlows

Island and Building a Post house thereon together with the heavy expence of Firewood and other necessaries for His Majesty's Troops Quartered in this City have rendered it unable without the aid of the Legislature to carry on the Said Services as the publick Welfare requires.

BE IT THEREFORE ENACTED by His Honor the President the Council and the General Assembly and it is hereby Enacted by the authority of the same that the Mayor Recorder and aldermen of the City of New York for the time being or the major part of them Whereof the Mayor or Recorder to be one shall have full power and authority and are hereby fully Impowered and authorized On the Second Tuesday in January next to order the raising a Sum not exceeding Five hundred pounds by a Tax upon the Estates Real and Personal of all and every the Freeholders Freemen and Inhabitants Residents and Sojourners within the City of New York towards Payment of the Extraordinary expenses and charges aforesaid, And add the same to the Sum which shall be raised for the Minister & Poor of the Said City Which Tax so to be laid shall be rated and assessed at the same time and by the Vestrymen Who SHALL Rate and assess the Tax for the Minister and Poor of the said City and shall be rated together in one assessment made of the whole the Vestrymen first taking the Oath Prescribed to be taken in and by an act Entitled "An act to enable the Inhabitants of the City of New York to Chuse two Vestrymen for each Respective Ward within the said City" made and passed in the nineteenth Year of his present Majesty's Reign and the said Tax so to be made shall be Collected Levied and paid at the same time and in the same manner as the Tax for the Maintenance of the Minister and Poor of the Said City hath been accustomed and by act or acts of this Colony is or are directed and enjoyned to be Collected Levied and Paid into the hands of the Church Wardens of the said City for the time being who shall be accountable for the same to the said Mayor Recorder and alderman or the major part of them Whereof the Mayor or Recorder to be one and Pay the Same by Warrant or Warrants under their hands and Seals or the hands and Seals of the Major part of them Whereof the mayor or Recorder to be one Directed to the Said Church Wardens according to the purport and Tenor of Such Warrant or Warrants.

AND BE IT FURTHER ENACTED by the authority aforesaid that over and above the said sum of Five hundred Pounds

to be levied and paid by virtue of this act the sum of three pence in the Pound as a Reward to the Constables for their extraordinary Trouble Shall be assessed levied and Paid to the respective Constables for collecting and Paying the same and no more according to the True Intent and Meaning of this act any thing herein or in any other act or acts contained to the contrary hereof in any wise Notwithstanding

AND BE IT FURTHER ENACTED by the authority aforesaid That if the Said Mayor Recorder or Aldermen the Church-Wardens Vestrymen or Constables of the City of New York aforesaid Who are hereby authorized Impowered and required to take effectual care that this act be executed according to the true Intent and meaning thereof or any one of them shall Deny Refuse or Delay to perform Execute and Comply with all or any of the Powers Authorities and Duties in this act given and required to be done and performed by them or either of them and thereof shall be lawfully Convicted in any Court of Record in this Colony He or they So denying or Refusing or Delaying to perform the Duty's as aforesaid shall Suffer Such Pains and Penalties by fine and Imprisonment as by the discretion of the Justices of the said Court shall be adjudged to be sued for and recovered by the Person or Persons aggrieved thereby, or by any other Person or Persons who Shall Sue for and Prosecute the same to effect

#### [CHAPTER 1112.]

[Chapter 1112. of Van Schaack, where the title only is printed. Chapter 220 (vol. 2) of Livingston & Smith, where the act is printed in full. Expired January 1, 1788. Provided for by chapter 1313.]

#### An Act for the extinguishing Fires in Woods in the Counties of Albany and Ulster.

[Passed, November 8, 1780.]

WHEREAS there is a Law for the prevention of Firing the Woods but no provision for the extinguishment of Fires when they happen

BE IT ENACTED by his Honour the President the Council and the General Assembly and it is hereby Enacted by the Authority of the same That the Freeholders and Inhabitants of the City of Albany and of each respective Town Manor or Precinct within the said Counties of Albany and Ulster shall be and are hereby Impowered and authorized annually at their respective annual Meetings to Elect and Chuse such a number of their Freeholders as by the majority of the said Freeholders

and Inhabitants shall be Judged Needfull Which said men when so Chosen are to be called and Known by the name of the Firemen for the respective District for which they shall be chosen Which said Firemen or any one of them shall be and are hereby fully and absolutely authorized and Impowered upon View or Information of any Fire happening in any part of the Woods within their respective Districts or the Woods adjacent thereto whereby any of the Inhabitants may be in danger of being damaged To require and Command every able Man residing within their Districts to aid and assist them the said Firemen or any one of them who shall happen to be near unto or discover the said Fire as aforesaid IN extinguishing and putting out the Same with all care and possible diligence and all and every Person or Persons that shall (without a Lawfull Excuse or Impediment) Refuse neglect or Delay to help and assist the said Firemen or either or any of them so requiring or Commanding as aforesaid to extinguish the said Fires as aforesaid Shall forfeit the Sum of Three Shillings Current money of this Colony each, for every such refusal Delay or Neglect to be recovered before any one of his Majesty's Justices of the Peace of the County where the same Shall happen by the oath of any of the said Firemen or otherwise The one half of which forfeitures shall be for the use of the said Firemen who shall Sue for the same and the other half to be distributed to those who have assisted in extinguishing the said Fire or Fires.

This act to be and remain in full force from the Publication thereof Untill the first Day of January One thousand seven hundred and sixty six and no longer

#### [CHAPTER 1143.]

[Chapter 1143, of Van Schaack, where the title only is printed. Chapter 221 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapters 1121 and 1160.]

An Act for altering and explaining Part of an Act entitled An Act for regulating, clearing and further laying out public Highways throughout the City & County of Albany

[Passed, November 8, 1760.]

WHEREAS by a certain Act entitled an act for regulating, clearing and further laying out public Highways throughout the City and County of Albany, passed in the Thirty third Year of his present Majesty's Reigo all the Inhabitants from the



Southermost Bounds of Schotack in the County of Albany Living above Half a Mile from Hudson's River although they belong to the Mannor of Rensselaerwyck are obliged to work on the Kings Road from the Southermost Bounds of Kinderhook through the Woods to Greenbush which is found to be very burthensome to those of the Inhabitants who are obliged to work on the lower Road along Hudson's River and who are obliged to keep two Bridges in Repair on the said lower Road, and are deprived of the assistance of those of the said Inhabitants, who are obliged by the said act only to work on the said first mentioned Road, to remedy which Inconvenience

BE IT ENACTED by His Honour the President the Council and the General Assembly, and it is hereby enacted by the authority of the same that the Inhabitants Living within ~~one~~ Mile's distance from Hudson's River to the East of the said River at Schotack shall work and keep in Repair the said lower Road as they used to keep before and are hereby excused from working on and keeping in Repair the said upper Road, any Thing in the said act contained to the Contrary hereof in any Wise Notwithstanding.

AND BE IT ENACTED by the authority aforesaid that those of the Inhabitants of RensselaerWyck at Schotack who by the said act are now obliged to work from the Southermost Bounds of Kinderhook to Greenbush shall only be obliged to work with the Inhabitants of Kinderhook from where the Southermost Line of the said manor crosses the Kinderhook Road to Greenbush, Any Thing in the said act contained to the contrary thereof in any Wise notwithstanding, this act to be in Force from the Time of the Publication to the first day of January, one Thousand Seven Hundred and Seventy and no longer

#### [CHAPTER 114.]

[Chapter 1144, of Van Schaack, where the title only is printed. Chapter 222 (vol. 2) of Livingston & Smith, where the act is printed in full. Expired January 1, 1700. Provided for by chapter 1250.]

An Act for the Better Laying out Regulating and keeping in repair common and publick highways at the north side of the highlands in the county of orange.

[Passed, November 2, 1700]

WHEREAS nothing Contributes more to the Ease and advantage of the Inhabitants than the well Regulating Laying out and keeping in proper Repair publick highways

BE IT ENACTED by his Honour the president the Council and the General assembly and it is hereby Enacted by the authority of the Same that from and after the publication of this act the freeholders and Inhabitants of the precinct of Goshen and the precinct of Minisinek shall be and hereby are authorized at their annual Town meetings for Electing town officers, to Choose and Elect at the Same time three freeholders to Lay out and regulate highways and also so many persons to be surveyors and overseers of the highways as the major part of the freeholders and Inhabitants of each & Either of the said two precincts then assembled, shall Judge necessary and convenient for the overseeing repairing and keeping in order the Several highways within the Respective precincts for which they shall be Elected and chosen as aforesaid, and the person or persons so Chosen and Elected as well those who are to Lay out and regulate highways as those who are so to be overseers and Surveyors thereof are hereby required to take those Several offices respectively upon them.

AND BE IT FURTHER ENACTED by the authority aforesaid that the Commissioners or the major part of them in the respective places for which they shall be Elected and chosen Commissioners are hereby impowered and authorized to regulate the Roads already laid out, and to Lay out in the Several places for which they shall be chosen Commissioners, such other Roads as to them or the major part of them shall seem necessary and Convenient, and if need be to take a Review of the Roads already Laid out, and if any of them shall really appear Inconvenient and the same be Certified upon Oath by twelve principal freeholders of the said County the Commissioners shall and may alter the same and Lay out such other publick highways and Roads as they or the major part of them shall think most Convenient as well for Travellers as for the Inhabitants of every respective Town and the next adjacent Towns villages and neighbourhoods, provided that nothing in this act Contained shall Extend or be Construed to impower the Commissioners aforesaid to alter any Roads that are already Commodious, nor to Lay out any road through any persons Inclosed and improved Lands and meadows, without the Consent of the owner or owners thereof or paying to him or them the true value of the Inclosed & improved Lands and meadows so Laid out into an highway or road, and if any Dispute shall arise by that means the Same shall be determined and the true value

set and appraised by two Justices of the peace of the said County, and by the oaths of Twelve principal freeholders of the neighbourhood not having any Interest in the Land, Concerning which such Dispute may arise, which freeholders may be Summoned by the high Sheriff his deputy or any Constable of the County of Orange by virtue of a warrant to be Issued by the said two Justices for that purpose; and if any Road, within the said two precincts so laid out be a Common publick highway and the same be laid out at the request of twelve principal freeholders of the county then the whole charge of the value of the said inclosed and improved Lands together with the Charge of the Commissioners, and calling and Charge of the Jury and the whole proceeding thereon had shall be paid as the other Contingent charges of the County are paid, and the highway so laid out shall be a Common publick highway But if the road so laid out be for the private use and benefit of any person or persons, then the Charges aforesaid Shall be paid by the person or persons who desire the same to be Laid out, and Said Road to be for the only proper use of such person or persons and to their heirs and assigns who pay for the Same

And be it further enacted that the said Commissioners to be Chosen by Virtue of this act shall before they execute any of the Powers herein contained take an oath upon the Holy Evangelists in the words following to wit I A B, do solemnly swear that I will faithfully and impartially execute the Powers to be given and granted by an act Entitled "An act for the better laying out regulating and keeping in repair common and publick highways at the north side of the highlands in Orange County" according to the best of my Skill and understanding, So help me God.

AND BE IT FARTHER ENACTED by the authority aforesaid that if any person or persons, within the said two precincts do or hereafter shall alter Stop up or incroach on any highway or road that has been heretofore laid out, by former Commissioners, or Shall be hereafter laid out by the Commissioners to be Elected and Chosen by virtue of this act, each person so offending contrary to the meaning of this act shall for every such offence forfeit the sum of forty shillings to be recovered before any one Justice of the peace upon the oath of any one Credible witness and Levied by warrant from any Justice of the peace Directed to the Constable of the precinct where such offence shall be Committed by Distaining the

Goods and Chattles of the offender, and the said Constable after publick notice is given by him of the selling the said Distress shall make sale thereof, and out of the produce pay the said forfeitures and charges and return the overplus if any there be to the owner or owners, which Said forfeiture of forty shillings shall be applied by the Surveyors of the highways for and towards repairing the publick roads or highways within the precinct where such forfeiture shall arise.

AND BE IT ENACTED by the authority aforesaid that the Width of all the roads in the said precincts shall be Left to the Discretion of the Commissioners for the time being, so that they do not Exceed the Breadth of four rodts nor be less than twenty foot

AND BE IT FURTHER ENACTED by the authority aforesaid that the Inhabitants of the said precincts by and through whose Lands any common publick Roads or highways have or Shall run or be hereafter ascertained or laid out are hereby obliged by themselves or Servants to clear and maintain the Same as often as they or any of them shall have notice, from the respective surveyors or overseers of the high ways for the time being not Exceeding three days in a Year under the penalty of Three Shillings for each day every person shall neglect or refuse Such service to be Levied by the Constable of the Division in which such offender dwells by distress & Sale of the offenders goods and chattels by warrant from any Justice of the peace in the said precincts returning the over plus of such sale (if any there be) to the owner or owners the Charges that are Common in other Cases being first paid and the said forfeiture of three shillings shall be applied for repairing the publick roads within the Division where such forfeiture shall arise

AND BE IT FURTHER ENACTED by the authority aforesaid that every freeholder or Inhabitant within the Said precinct of Goshen who is obliged to work upon the highways shall pay into the hands of the Collector of the said precinct for the time being the sum of three Shillings for mending and keeping in repair the Roads hereafter mentioned And the said collector is hereby authorized and impowered to receive and Collect the same in the same manner as the publick taxes of the precinct are collected and to deliver the money when Collected into the hands of the Commissioners for the highways

in the said precinct for the time being, after having deducted the usual allowance for collecting; and the said Commissioners for the time being are hereby required and directed to lay out the money to be raised as aforesaid in mending and keeping in repair as much of the following publick roads as lie within the said precinct vizt. the Road from Florida meeting house through Goshen down to new windsor, The road from Warwick Bridge through Grey Court down to New Windsor, and the road from Capt Thomas Smiths in Schenemuck clove to the Landing at murder's Creek and the said Commissioners for the time being are to lay out the money raised for Repairing the said Roads, as near as may be in proportion to the number of Inhabitants which use the same, and the said Commissioners for the time being are hereby directed & required at the annual meeting for Electing officers for the said precinct to deliver to the Justices of the peace then present an Exact account under oath of all the monies by them Received in pursuance of this act, and the manner in which they have laid out & Expended the Same

And to prevent all manner of Disputes that may arise respecting the persons who are obliged by this act to work upon the highways BE IT ENACTED by the authority aforesaid that every freeholder within the said precincts and also every male Inhabitant, who has arrived to the age of Twenty one Years shall be obliged to work upon the Highways

AND BE IT FURTHER ENACTED by the authority aforesaid that all Trees that stand in any highway which has or Shall be laid out through any persons Land shall belong to the owner or owners thereof, but the said owner shall not hinder the publick from making use of so much timber which is Standing or Lying on the Road as will amend and repair the same.

AND BE IT FURTHER ENACTED by the authority aforesaid that if the overseers of the Roads or highways shall think fit, and have occasion of any teams Carts or waggons and a man to man age the Same, the said team Cart or waggon shall be Esteemed for and in lieu and stead of three days work of a single man and the fine to be proportionably that is triple to the fine to be imposed for the neglect of a single person, and every working man shall be obliged to bring such utensils as he is directed to bring by the overseers or highway master

AND BE IT ENACTED by the authority aforesaid that the Commissioners of EACH precinct for which they are Chosen and



Elected shall from time to time Enter in writing all the highways or roads laid out altered or stopp'd up, and sign the same by putting their names thereto and Cause the same to be entered into their town Book and whatsoever the Commissioners shall do according to the powers given them in this act being so Entered into their Town Book shall be valid and good to all intents & purposes whatsoever.

AND BE IT FURTHER ENACTED by the same authority that each Commissioner shall have take and receive a sum not exceeding Six Shillings each for every day as a reward for his care and trouble in doing the Business required by this act, and they shall transmit their accounts to the supervisors of the county of Orange at their annual meetings of the time he or they have spent in laying out regulating and repairing the highways in the said precincts, and the Supervisors shall add so much as they find the Commissioners have a right to claim to the quotas of said precincts from whence such accounts shall be brought and shall raise the same with the county tax which shall be paid by the County Treasurer to the Commissioners upon a warrant from the supervisors as in other Cases, except where the Commissioners are paid by private persons as before Directed.

AND BE IT FURTHER ENACTED by the authority aforesaid that upon the Ordering of any one Justice of the peace the Surveyors or overseers of the said precincts shall within Eight days thereafter warn and set to work the respective Inhabitants to mend and repair the Kings highways and other roads which by Law & custom they are oblig'd to repair and if any of the surveyors or overseers shall neglect or refuse to warn and set to work the Inhabitants aforesaid and see the roads & highways amended and repaired such surveyor or Surveyors shall for every Such neglect or refusal pay a fine of forty shillings to be adjudged by and recovered before any one of his maj stys Justices of the peace for the county of Orange upon the oath of any one witness or on the view of such Justice in the Common or usual method which fine shall be applied towards repairing the said highways in such place where such fine may arise

AND BE IT FURTHER ENACTED by the authority aforesaid that one certain act passed the Twenty ninth of November one Thousand Seven hundred and Forty five Intituled an act for the better clearing regulating and further laying out publick Highways in Kings county, Queens County, Richmond

County, and Orange county, as far as the same respects the precincts of Goshen, and Minisink aforesaid Shall be and hereby is repealed During the Continuance of this act

AND BE IT FURTHER ENACTED by the authority aforesaid that this act shall be in force until the first day of January one Thousand seven hundred and Sixty Six, and no Longer.

## THE TWENTY-NINTH ASSEMBLY

*First Session.*

### [CHAPTER 1145.]

[Chapter 1145. of Van Schaack, and chapter 223 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act for raising paying and cloathing  
Seventeen hundred and Eighty seven Effective  
men officers included to be Employed in Secur-  
ing his Majesty's Conquests in north america  
and other purposes therein mentioned.

[Passed, April 4. 1761.]

WHEREAS his majesty being about to remove his Regular Forces in north america to be employed on some important Enterprize against the Enemy for the Benefit of his Subjects in Particular in america requires the assistance of his Colonies in north america for securing the possession of his Conquests there.

Be it Enacted by his Honour the President the Council & the General Assembly and it is hereby Enacted by the authority of the same that of the monies allotted by his majesty for this colony out of the two hundred Thousand pounds Sterling Granted by Parliament for the northern Colonies and also of the sum of Two Thousand nine hundred & seventy Seven pounds Seven shillings and Eight pence Sterling allowed by Parliament as a Reimbursement to this colony for provisions furnished for their provincial forces in the year one Thousand seven hundred and Fifty Six, now in the hands or which may be in the hands of William Baker and Robert Charles Esqrs by virtue of an act Entituled an act to Impower William Baker and Robert Charles Esqrs of the city of London to receive Certain Sums of money allotted to this Colony by his Majesty out of the monies voted by Parliament for the northern Colonies passed the Eighth day of november Last, there shall be and hereby is appropriated for

and towards lerying paying and cloathing one Thousand Seven hundred and Eighty seven men officers included to be Employed from the time of their Inlistment untill the first Day of November next in securing the possession of his majestys conquests in this part of North america in such manner as his majestys commander in chief in north america shall Judge most Conduclve to that important End, the sum of Forty five thousand Pounds; and also of the monies arisen or which may arise by virtue of the three following acts, viz., an act Entituled an act for Granting to his majesty the several Duties and Impositions on Goods wares & merchandizes imported into this Colony therein mentioned, an act Entituled an act for Emittig Bills of Credit for the payment of the Debts and for the better support of the Government of this colony and other purposes therein mentioned, and an act Entituled an act to restrain Hawkers and Pedlars within this Colony from selling without Lycence there Shall be and hereby is appropriated for the said services the sum of seven Thousand pounds to be applied as herein after Directed any thing in the said three acts to the contrary notwithstanding.

AND BE IT ENACTED by the authority aforesaid that the Treasurer of this Colony shall be and hereby is empowered and directed to Draw Bills on the aforesaid William Baker & Robert Charles Esq's for the aforesaid Forty five Thousand pounds now in their hands or which may be in their hands as aforesaid payable at Thirty days sight and to sell the said Bills to the best advantage.

AND BE IT ENACTED by the authority aforesaid that in case any of the said Bills should not be paid at the time they become Due the General assembly shall and will provide ways & means to pay to the proprietors of such Bills the Interest of the moneys by them advanced for the same from the time the said bills became Due untill the Same Shall be paid in Lieu & stead of the usual ReExchange and Damages.

AND BE IT ENACTED by the authority aforesaid that the said Treasurer shall out of any of the monies aforesaid in his hands or which shall be in his hands as aforesaid pay unto John Cruger Beverly Robinson & Peter Van Brugh Livingston Esq's commissaries and pay masters to the forces raised in this colony the sum of Twenty one Thousand pounds to be by them applied in the payment of one thousand Seven hundred and Eighty seven men officers included who are to be employed in the

service aforesaid after the following rates to witt To two colonels Sixteen shillings per Diem each to two Lieutenant Colonels fourteen shillings per Diem each. To Two majors Twelve Shillings per Diem each, To Two adjutants being Lieutenants ten Shillings per Diem each, To Eighteen Captains ten Shillings per Diem each, To Thirty four Lieutenants Seven Shillings per Diem each, To Two Quarter masters three shillings per Diem each, To Seventy two Serjeants one Shilling & Eight pence per Diem Each, To Eighteen Drummers one Shilling and six pence per Diem each To Fifty four corporals one Shilling and Six pence per Diem each & unto Fifteen hundred and Seventy nine private men one shilling & three pence per Diem each Deduction to be made for any Deficiency in that number by death or otherwise, which forces they are hereby Directed to pay according to the number that shall be in actual service and not otherwise, which shall be ascertained by the muster Rolls of the respective Companies monthly delivered unto the said pay masters upon the oath of the several Captains of each Company or the oath of the Commanding officer thereof at the time of such muster which oath the said paymasters or either of them or such other person as the president or Commander in Chief shall appoint are hereby impowered and required to administer in the words following, viz. I A. B. do swear that the muster Roll here produced by me is Just & true & contains no more nor other persons names than such who are really & truly enlisted in my Company and are now actually and really in the present service. So Help me God, and the said paymasters are hereby farther required and Directed to pay to one Chaplain attending the said Forces twelve shillings per Diem and to Two Surgeons providing each two able assistants to attend the said Forces the sum of Twenty four shillings per Diem each and also to provide them with proper Chests of medicines to the value of one hundred pounds Each.

AND BE IT FURTHER ENACTED by the authority aforesaid that the Treasurer shall out of the monies aforesaid pay unto Each of the said Captains or other officer properly authorized to raise forces the Sum of Twenty Shillings for each able Bodied man whom he or they respectively Shall Engage to enlist voluntarily into the said service, and to each of the said Captains as and for an Encouragement to the men who Shall enlist under him or them respectively the sum of Fifteen pounds

to be paid by him or them respectively to each and every able Bodied man who shall voluntarily enlist under him or them respectively on the aforesaid service which said respective Sums shall be paid by the Treasurer on warrants Issued by the president or Commander in chief for the time being in council.

AND BE IT FURTHER ENACTED by the authority aforesaid That the said Treasurer Shall out of the monies aforesaid pay unto the said Commissaries the Sum of nine Thousand five hundred pounds to be by them employed in purchasing Cloathing, Blankets & other necessaries for the use of the forces to be raised by this Colony on the aforesaid service, of the due disposition of all which aforesaid sums of money they the said paymasters Shall render Just and true accounts on oath to the president or Commander in chief for the time being the council or the General assembly when by them or any of them thereunto required.

AND TO THE END the aforesaid commissaries may be encouraged to do & perform the several and respective services required to be Done & performed by them respectively BE IT ENACTED by the authority aforesaid that the said Commissaries shall be allowed to retain in their own hands the sum of two pounds on every hundred pounds they shall employ by virtue of this act and in that Proportion for a greater or lesser Sum as a reward for their Care and trouble in the several and respective services hereby required to be Done and performed by them

AND BE IT ENACTED by the authority aforesaid that the said Commissaries before they receive any part of the monies hereby Directed to be paid unto them shall enter into Recognizances to our Sovereign Lord the King his heirs and Successors before one of the Judges of the Supream Court of this colony in the sum of Thirty Thousand five hundred pounds with two Sufficient Suretys each in half that sum conditioned that they will well and truly employ & apply the monies to be received by them as aforesaid to and for the several and respective uses & purposes Directed by this act, and well and truly to observe do and perform all the directions hereby required to be observed done and performed by them according to the true intent and meaning of this act, which Recognizances are to be filed and recorded in the Supream Court of this Colony.



AND BE IT FURTHER ENACTED by the authority aforesaid that if either of the before named Commissaries shall fail of employing and applying the monies so to be received by them in the manner and for the respective uses directed by this act or omit to observe do & perform what is hereby required to be observed done and performed by them in such case or cases the said Recognizances shall be proceeded upon in due form of Law against Such offender or offenders or his or their sureties in the Supream court of this Colony wherein no Essoin protection wager of Law or more than one Imparlance shall be allowed & the money to be recovered in Consequence thereof shall be paid into the Treasury of this colony and applied to & for such uses as shall hereafter be directed by act or acts to be passed for that purpose.

AND BE IT ENACTED by the authority aforesaid that if Either of the said Commissaries shall happen to Die, remove out of this colony or refuse to act according to the several & respective Powers and authorities hereby required and Directed it shall and may be Lawful to and for the President or commander in Chief for the Time being by and with the advice & consent of his majestys Council to nominate and appoint Some other fit person or persons in the place and Stead of him or them so Dying removing or refusing to act as aforesaid any thing contained herein to the contrary notwithstanding, PROVIDED the person or persons who shall be appointed shall be obliged to Enter into the Like Recognizances with the like sureties as herein is Directed to be done by the said Commissaries before he or they be Entitled to receive any part of the money herein mentioned and in all respects be as Subject to observe do & perform the several Directions of this act as if he or they had been named or appointed in it

AND Be it Enacted by the authority aforesaid that the before mentioned several sums of money directed to be paid to the aforesaid commissaries shall be paid by the Treasurer of this Colony at such time and in such proportion as shall be thought necessary & expedient by his Honour the President or Commander in Chief for the time being by and with the advice & consent of his majestys council of this Colony for the performing the Several and respective services directed by this act.

AND BE IT ENACTED by the authority aforesaid that the Treasurer shall out of the aforesaid monies pay the following Sums viz. To each of the two colonels the sum of seventy

pounds to furnish their respective Tables, to each of the two Lieutenant Colonels the sum of Fifty pounds for the like purpose to each of the Two majors the sum of forty pounds for the like purpose.

AND that none of his majesty Subjects who are inclined to go upon the service aforesaid may be impeded or debarred from entering voluntarily therein. BE IT ENACTED by the authority aforesaid that no person who shall enlist or Enter himself a volunteer in the said service shall During the same be Liable to be taken therefrom by any process or Execution whatsoever other than for some criminal matter unless for a Debt or other just cause of action and unless before taking out of such process or Execution not being for a criminal matter the Plaintiff or Plaintiffs therein or some other person or persons in his or their behalf shall make affidavit before one or more Judge or Judges of the Court of record or other Court out of which such process or Execution shall Issue or before some person authorized to take affidavits in such courts that to his or their knowledge the original Sum Justly due & owing to the plaintiff or plaintiffs from the Defendant or Defendants in the action or Cause of action on which such process shall issue or the original Debt for which such Execution shall be issued out amounts to the value of fifty pounds current money of the Colony of New York over and above all costs of suit in the same action or in any other action on which the same has been or shall be grounded, a memorandum of which oath shall be Endorsed on the back of such process or writt, for which memorandum or oath no fee shall be taken. & if any person shall nevertheless be arrested contrary to the intent of this act it shall & may be Lawful for one or more Judge or Judges of such court upon complaint made thereof by the party himself or by any of his Superior officers to examine into the same by the oath of the parties or otherwise and by warrant under his or their Hands and seals to Discharge such soldier so arrested or Detained contrary to the intent of this act without paying any fee or fees upon due proof made before him or them and such Soldier so arrested or Detained was duly enlisted for the service aforesaid, and was arrested and Detained contrary to the intent of this act.

AND BE IT ENACTED by the authority aforesaid that any person or persons who are willing to enlist and shall accordingly enlist in the service aforesaid and who are now detained

In Goal upon Execution or any process in any Civil action where the original Cause of action did not amount to the sum of fifty pounds shall upon a Certificate of such his or their indictment being produced to any Judge or Judges of the Court from whence such process issued be discharged from Imprisonment without paying fees. PROVIDED nevertheless that such discharge shall not be Deemed an Extinguishment of any such Debt but any plaintiff or plaintiffs may be at Liberty to proceed to Judgment and Execution against the goods of any such defendant & also against their person or persons after he or they shall be Discharged from the said service in the Same Manner as if such Debtor had not been released from Imprisonment.

And BE IT ENACTED by the authority aforesaid that no person or persons whatsoever engaged in the Service aforesaid shall be Detained therein Longer than to the first day of November next.

AND BE IT ENACTED by the authority aforesaid that in Case any person or persons whatsoever Engaged in the service aforesaid either as officers or soldiers shall at any Time During the said service Desert therefrom, or shall begin, excite, cause or joyn in any mutiny or Sedition in the Company to which he Doth belong or in any other Company Engaged in the said service or shall hold Correspondence with any Rebel or Enemy of his majesty or Give them advice or intelligence by Letters, messages, signs or tokens or any manner of way Whatsoever or shall strike or use any violence against his superior officer being in the execution of his office or shall refuse to obey any lawful Command of his superior officer they shall respectively Suffer Death or such other punishment as shall be inflicted by a Court Martial, which Court martial shall be held constituted and appointed by Commission from his Honour the President or Commander in Chief for the time being under the Great seal of this Colony.

AND BE IT ENACTED by the authority aforesaid that when the Treasurer shall have paid all the several sums directed to be paid by this act, all the Residue of the aforesaid money shall remain in the Treasury to be Disposed of by act or acts hereafter to be passed for that purpose.

AND forasmuch as the Troops in the service of this Colony, were necessarily Detained on the Last campaign beyond the Time for which pay was provided for them, and Whereas several

sums are Claimed by certain persons for furnishing necessaries for several sick and wounded Soldiers in the service of this Colony whilst they were in the Hospital During the Last campaign Be it enacted by the authority aforesaid that the said Treasurer shall out of the monies remaining in his hands by virtue of an act Entitled an act for Levying paying and cloathing Two thousand six hundred and Eighty Effective men officers included for forming an army of Twenty Thousand men with the forces of the neighboring Colonies to reduce in Conjunction with his majesty's Regular Troops Montreal and other posts belonging to the french in Canada; for Emittting Bills of Credit for the sum of sixty Thousand pounds and for sinking & cancelling the said Bills in short Periods passed in the Thirty Third Year of his Late Majesty's Reign pay unto the said Commissaries the sum of Three Thousand pounds to be by them applied for the purposes last aforesaid and of the due disposition of which said sum of Three Thousand pounds they the said Commissaries shall render true and just accompts on oath in the manner before directed.

AND BE IT ENACTED by the authority aforesaid that the Treasurer shall keep exact books of all his receipts and payments by virtue of this act and a true and just accompt thereof shall render on oath to the president or Commander in Chief for the time being the Council or the General Assembly when by them or any of them thereunto required.

#### [CHAPTER 1146.]

[Chapter 1146, of Van Schaack, where the title only is printed. Chapter 224 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 1083. Continued by chapter 1191.]

An Act to Revive an act entitled an act  
Regulating the Pilots and Establishing their  
pilotage between Sandy Hook and the port of  
New York and other purposes therein men-  
tioned

[Passed, April 4, 1761.]

WHEREAS an act entitled an act for regulating the pilots and Establishing their pilotage between sandy Hook and the port of New York and other purposes therein mentioned, passed in the Thirty second Year of his late Majesty's Reign Expired by it's own Limitation on the first day of January last and the same having been found very useful and Necessary.

BE IT THEREFORE ENACTED by his Honour the President the Council and the General Assembly & it is hereby Enacted by the authority of the same, that the above mentioned act Entitled an act for Regulating the Pilots and Establishing their pilotage between Sandy Hook and the port of New York and other purposes therein mentioned shall be and hereby is Revived and every article matter & clause therein contained Enacted to be and remain in full force from the Publication hereof untill the first day of January which will be in the year of our Lord one Thousand seven hundred & sixty Three

[CHAPTER 1147.]

[Chapter 1147, of Van Schaack, and chapter 225 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act for raising a Sum not exceeding  
Three thousand Pounds by Way of Lottery  
for Building a Light house.

[Passed, May 19, 1761.]

WHEREAS it is very necessary for the Safety of Navigation on which the Prosperity of this Colony greatly depends That a light-house be Erected on Sandy Hook and the General Assembly being willing to Grant for that purpose by way of Lottery the sum of Three thousand Pounds.

BE IT THEREFORE ENACTED by his Honour the President the Council and the General Assembly, and it is hereby enacted by the authority of the same that John Cruger Philip Livingston Leonard Lispenard and William Bayard Esquires or the Major part of them shall be and hereby are fully empowered and authorized to Erect and establish a Lottery or Lotteries not exceeding three, to raise the aforesaid Sum of Three thousand pounds to be by them applied for and towards Purchasing so much of Sandy Hook as to them or the major part of them shall seem necessary, and thereon to Erect a proper Light House as soon as conveniently may be.

AND BE IT FURTHER ENACTED by the authority aforesaid that the Persons above named or the major part of them Shall have full power to employ under them as many Persons as to them shall seem necessary TO sell the Tickets and to manage the said Lottery or Lotteries Which Persons shall be allowed for their Trouble in managing the said Lottery or Lotteries and give Security in the same manner and proportion



as was allowed and directed by an act Entitled "An act for raising by a Public Lottery for this Colony the sum of One thousand One hundred and "Twenty five pounds towards Erecting a New Goal in the city of New York" passed in the Thirtieth year of the Reign of His late Majesty King George the Second. And shall respectively take an Oath to the same purpose as in the said act was provided and directed, for the true and faithfull discharge of their Trusts Respectively.

AND BE IT FURTHER ENACTED by the authority aforesaid that the said Sum of Three thousand Pounds so to be raised by Lottery or Lotteries shall by the managers thereof be paid to the Treasurer of this Colony for the time being, who is hereby authorized directed and required to Pay the same to the said John Cruger Philip Livingston Leonard Lisenard and William Bayard Esquires, or the major part of them in such sums as shall by them be judged necessary to be laid out for the purposes aforesaid, and for no other use or purpose whatsoever and their Receipts to the Treasurer shall be to him a full discharge for so much as shall be therein specified.

AND BE IT FURTHER ENACTED by the authority aforesaid that the whole amount of the Lottery or Lotteries hereby established shall not exceed the sum of Twenty thousand Pounds.

AND BE IT ALSO FURTHER ENACTED by the same authority that the said John Cruger Philip Livingston Leonard Lisenard and William Bayard, shall account on oath for all the monies that shall come to their hands by virtue of this act to the President or Commander in Chief for the time being, the Council or the General Assembly when by them or any of them thereunto required.

AND BE IT FURTHER ENACTED by the same authority that if the Lottery or Lotteries by this act directed shall not be drawn before the first day of May next That then the monies Received by the said managers for Tickets sold by Virtue of this act shall be repaid to the possessor or Possessors of the Said Ticket or Tickets

AND BE IT FURTHER ENACTED by the same authority that if any Person or Persons shall forge or Counterfeit any Ticket or Tickets to be made in Virtue of this act or alter any of the numbers thereof or bring any forged or Counterfeit Ticket or Tickets whereof the number is altered knowing them to be such to the said managers or either of them TO the In-

tent to defraud the Colony or any Contributor or adventurer in the said Lottery or Lotteries Every such person or Persons (being thereof Convicted in due form of Law) shall be adjudged a felon and Shall Suffer Death as in Cases of Felony without benefit of Clergy.

[CHAPTER 1148.]

[Chapter 1148, of Van Schaack, where the title only is printed. Chapter 226 (vol. 2) of Livingston & Smith, where the act is printed in full. The acts repealed are chapters 929 and 938. Continued and amended by chapters 1232, 1280. Expired January 1, 1770. Revived as to certain individuals by chapters 1164 and 1564.]

An Act for the relief of Insolvent Debtors  
and for Repealing the acts therein mentioned

[Passed, May 12, 1761.]

WHEREAS Insolvent Debtors who in order to obtain a General discharge are willing to Deliver up all their Effects to their creditors are often prevented from doing it by a few of them to the Great prejudice of the rest and to the Injury of Trade.

BE IT THEREFORE ENACTED by his Honour the President the Council and the General Assembly, and it is hereby Enacted by the authority of the same, that every Debtor who now is or hereafter shall be in such circumstances, in conjunction with so many of his or her Creditors as have or shall have debts owing to them by the said debtor amounting at Least to three fourths of all the money owing by the said Debtor whether the same be then due or payable at some future time or times shall in order to a general discharge present a petition to the supreme court or in the vacation to two or more of the Judges or if the said Debtor be arrested to the court or any two of the Judges of that Court out of which the process against such Debtor issued praying that the said Debtors Estate may be Delivered to one or more such persons as the said Petitioners or a majority of them in respect to their Demands on the said Debtor shall nominate to receive and dispose of the Same for the use of all his or her creditors.

AND BE IT FURTHER ENACTED that every such Debtor within Two days after the presenting such petition shall deliver in writing a full and true account of all his or her creditors and the monies owing to them by the said Debtor and

also a full and true inventory and account of all such Debtors Estate both real & personal in Law and Equity and all Books Vouchers and Securities relating to the Same except the necessary apparel and Bedding of such Debtor and of his wife and his or her Children, on which the said Judges are hereby required to administer or tender an Oath or affirmation to the following effect.—I, A. B. do Solemnly Swear in the presence of Almighty God, (or being of the people called Quakers do Sincerely and truly Declare and Affirm) that the account by me delivered is a just and true account of all my creditors, and the monies owing to the best of my knowledge or remembrance by me and that the Inventory and account delivered by me is a just and true account of all my Estate real and personal both in Law and Equity Either in possession reversion or Remainder the necessary wearing apparel of myself and wife and children excepted, and that I have not Directly, or Indirectly Sold leased assigned or otherwise disposed of or made over Either in trust for myself or otherwise except as Set forth in the Same account any part of my Estate real or personal for my future benefit or in order to Defraud my creditors, so help me God. Which oath or affirmation being taken by such Debtor notice shall be given by the petitioners to all the Creditors of such Debtor by advertising the same in one or more of the publick newspapers to Shew cause if any they have by such a day as shall be appointed by the court or two or more of the Judges why an assignment of the said Debtors Estate should not be made and the debtor discharged; At which day if no sufficient Cause to the contrary appear the Court or any two of the Judges shall direct a Legal Grant or assignment of all such Debtors Estate both in Law and Equity to be made by such Debtor to the person or persons nominated by the Petitioners or a majority of them in respect to the amount of their Just demands on the said Debtor, and upon such Debtors producing a Certificate under the hands and seals of the assignee or assignees executed in the presence of Two Witnesses that he or she has legally Granted conveyed assigned and delivered up for the use of the Creditors all his or her Estate real and personal both in Law & Equity & all the Books vouchers and securities relating to the Same they shall discharge such Debtor if in prison from his Imprisonment, which discharge or the record thereof in the minutes of the Court from whence the process issued shall be a Sufficient

warrant to the Sheriff or Goaler for Setting such prisoner at Large.

BE IT FURTHER ENACTED by the authority aforesaid that Every such Debtor who shall before the delivery of the petition before directed have become Bail in any Cause on account of which he has reason to think Judgment may be had against him, and shall make Oath that at the time he so became Bail he had a clear Estate sufficient to answer any demand that could with any probability be made upon him as bail, may add to the account of the Creditors, and the monies owing by him before directed to be given, an account of the manner of his becoming Bail, and annex such a Sum as he Imagines he will be liable to pay on that account and then the assigners shall reserve in their hands for the Space of one year and a half such a Dividend as a creditor for the like sum would have a right to receive, and after Judgment obtained against any such Debtor the person obtaining the Same shall be Considered in Every respect as another Creditor whose debt was due before the Delivery of the Petition. But if in the Space of one year and a half after the petition is delivered no Judgment shall be obtained against the Insolvent, the monies so reserved shall be divided among the other Creditors in the same manner as the rest of the Insolvents Estate, and the Insolvent shall be Discharged from all obligations as Bail in the Same manner as if the sum so annexed to the account of his Creditors were paid. If Judgment shall be obtained against such Debtor as Bail for any sum within one Year and a half after the Petition is delivered and after the division of his or her Effects among his or her Creditors and the said Debtor should have omitted either wholly or in part to annex the said sum to the account delivered the person obtaining such Judgment shall recover against the said Debtor Either for the whole or the part omitted as the Case shall happen to be so much as the other creditors of the said Debtor ought to have received for a Like Just Debt and no more PROVIDED ALWAYS that the Sum for which Judgment is obtained against such Debtor being added to the account of his or her Creditors & of the monies owing them before directed to be given the Debts owing by him or her to the petitioning Creditors shall Still appear to have been three fourths of all that was owing by the said Debtor

BE IT FURTHER ENACTED that all other persons who have Given Credit to such an Insolvent Debtor on a Valuable Con-

consideration, for any sum of money or other matter or thing which is or shall not be due or payable at or before the Time of the delivery of the Petition shall and may be admitted & considered as creditors whose debts are then due and shall receive a dividend of the Insolvents Estate in the same proportion as the other Creditors deducting thereout only a rebate of Interest at the rate of seven per Cent for what shall be received on such Debts to be computed from the actual payment thereof to the time they would have become due

AND BE IT FURTHER ENACTED by the authority aforesaid that such assignee or assignees shall have full power and authority to dispose of all Estates which shall be assigned to him or them or which ought by Virtue of this act to be assigned to him or them to execute good and sufficient Deeds for the Same, to redeem all mortgages and Conditional Contracts and to recover in his or their own names Every thing belonging or appertaining to the Estates real and personal of such Debtor and shall have full power and authority by and with the Consent of a major part of the petitioners in respect of the amount of their just demands on the said Debtor to refer to arbitration, Settle compound or agree with any person indebted to such Debtor in such a manner as shall from time to time be agreed upon between them and shall proceed to convert the Estate or Estates of every such Debtor into money as Soon as Conveniently may be, and Shall within the space of one year and a half proceed to make a division of all the money which shall come to his OR their hands of the Estates aforesaid first Giving three months notice of the Time and place of making it, by advertising the Same in one or more of the publick newspapers, and if the whole be not then settled shall within the Space of one Year thereafter make a second Division of what monies may come to his or their hands after the first Division and so from year to year till a final Settlement thereof and a Just and equal division of the whole Estate be made

AND BE IT FURTHER ENACTED by the authority aforesaid that the assignees shall at least one month before a Division be made appoint a Day by advertising the same in one or more of the public news papers for a general meeting of all such creditors as shall Choose to attend to Examine & ascertain the Debts due to Each creditor and in case of any Controversy relating to such Debts It shall be determined in the following manner



THE Assignees shall nominate two referees not being Creditors of the Insolvent and the Creditor whose debt is in Controversy shall nominate two others & their names shall be separately written on four pieces of paper as nearly of the same size as possible which shall be rolled up in the same manner and put into a covered Box and from thence one of the assignees shall draw out three of the said Pieces of Paper and the persons whose names are so drawn shall finally settle such Controversy, and if any referee so appointed shall refuse or be incapable of acting in a Reasonable Time a new Choice shall be made in the same manner, and in case any such Creditor shall refuse to nominate referees on his part the assignees are hereby empowered to nominate them for him.

AND BE IT FURTHER ENACTED by the authority aforesaid that in case any such Debtor is or shall be seized of any real Estate in Fee Tail in possession Reversion or remainder (Except the said Estate be so Entailed by the Kings majesty his predecessors or successors and the reversion remaining in his majesty or his Heirs or successors) that the assignee or assignees shall have power in order to save the Trouble and Expence of a Common recovery to Grant sell and dispose of all such Estates and make a good title for the same in fee simple to any purchasor of the same, and all persons who do or shall claim any right Title or Interest in and to the said Estate or Estates by virtue of such Entail shall be and are hereby Effectually Barred from Claiming or recovering the same.

AND BE IT FURTHER ENACTED that the assignees appointed by virtue of this act shall have power by and with the free and Voluntary consent of the Insolvents wife to Dispose of his real Estate discharged and free of any Claim of dower by her, neither shall any widow of an Insolvent Debtor receive or claim her Dower in any real Estate sold by the assignees of her Husbands Estate before the Nineteenth day of February in the Twenty ninth year of his late majesty's Reign, providing the said assignees were regularly appointed and nominated by virtue of any of the acts by this act repealed.

AND BE IT FURTHER ENACTED by the authority aforesaid that the assignee or assignees shall Immediately after the assignment take an oath to be administered by the Court or any one of the Judges well and faithfully to manage the Insolvents Estate and keep and render a true account of all that

Shall come to his or their hands of the same and for that purpose shall keep regular books of accounts to which every Creditor at all reasonable times may have recourse, and for the ease & Trouble incumbent on the assignees they shall be allowed out of the Insolvents Estate such a Consideration as the Petitioners or a major part of them shall agree and fix upon.

AND BE IT FURTHER ENACTED by the authority aforesaid that for the more full discovery of the Estates of such debtors, the court or any one of the Judges at the request of the assignees shall have full power and are hereby required to summons & examine on oath the wife of such debtor and Every other person whatsoever known or suspected to detain any part of the said Debtors Estate or to be indebted to it, and in case any person on such summons shall refuse to attend having no reasonable excuse or shall refuse to be Sworn, or if a Quaker to affirm then it shall and may be lawful for the said court or any of the Judges to Commit the person refusing to Goal till he or she shall submit to be examined concerning what they know relating to such Insolvents Estate or Effects, and if any such person shall willfully and knowing affirm or Swear falsely, the person so offending shall be liable to the same pains and penalties as those are who are convicted of wilful and corrupt perjury.

BE IT FURTHER ENACTED that no suit in Equity shall be commenced by any assignee without the Consent of the majority of the petitioners with respect to the amount of their debts as aforesaid at a meeting held for that purpose, and if any creditor shall neglect or refuse to Give notice of, and prove his or her debt within one year and a half after the assignment and a division of the whole estate be made such Creditor shall not be intitled to a dividend and the whole money shall be divided by the assignees among the other Creditors. But in case the whole of such debtors Estate shall not be divided and Settled by the time hereby appointed for the first Division and such creditors shall prove his debt before the time appointed for the second Division then such creditor shall before a second Division be made among the other Creditors have his first Dividend or so much money as he would have been entitled to on the first division had his Debt then been proved. But no Creditor shall be admitted to prove his Debt in order to entitle himself to a share of the Insolvents Estate after the

second division but shall by this act be debarred from any share thereof

AND BE IT FURTHER ENACTED that every such Insolvent Debtor having given up his or her Estate and conformed in all things to the Directions of this act shall be discharged from all Debts due at the Time of the assignment or contracted for, before that time though payable afterwards and if prosecuted for any such Debt or Contract may plead the General Issue & give the special matter in Evidence

AND BE IT FURTHER ENACTED by the authority aforesaid that in Case any such Debtor shall be Guilty of perjury by Concealing any part of his or her Estate or Effects or shall after the assignment of their Estates by virtue of this act receive any Debt or Debts due to him or her before or he or she shall secret any part of his or her Estate or any Books or writings relating thereto with an intent to Defraud his or her creditors shall be deemed and adjudged Guilty of Felony without Benefit of Clergy, and the Estate of such Felon shall be divided among his creditors in the manner by this act directed.

BE IT FURTHER ENACTED by the authority aforesaid that when any debtor is arrested by process out of the Supreme Court, and also by process out of an inferior Court the Petition Shall only be made to the Supreme Court or two of its Judges in the Vacation.

PROVIDED ALWAYS and be it enacted by the authority aforesaid that debts due from the Insolvent to his majesty his heirs and Successors shall be first paid then those due to this colony then all costs of Suit Prison and Goal Fees and then deducting all such costs charges & expenses as shall be necessarily laid out and expended by the assignee or assignees together with their Commissions for their Care and trouble therein, the Residue shall be equally divided among the creditors. In which Division no preference shall be given to Debts due by Specialty or on a Judgment. But if there should be an overplus after all the Creditors are fully Satisfied for all their just demands it shall be paid by the assignees to the Debtor his or her Executors or administrators.

PROVIDED that nothing in this act contained shall be Construed to deprive Land Lords of the Right of distraining or Securing their rents, which by Law they had before the making of this act

BE IT FURTHER ENACTED that if any person be Sued for any matter or thing done by this act it shall be lawful for him to plead the general issue and give the Special matter in Evidence.

BE IT FURTHER ENACTED that the act Entituled an act to Enable the creditors of Insolvent Debtors who are willing to Give up their Effects to dispose of the same for the Benefit of the Creditors and to release the said Debtors from Imprisonment passed in the Twenty ninth year of his late majestys Reign; ALSO the act Entituled an act to Enable the assignees of Insolvent Debtors more Effectually to dispose of the Estates of such Debtors for the Benefit of their creditors passed in the same year of his late majestys Reign, and also another act Intituled an act for the Confirming and rendring Effectual the several assignments, Sales and conveyances made of the Real Estates of such Insolvent Debtors, who have given up their Effects for the benefit of their creditors in pursuance of an act Entitled an act to Enable the Creditors of insolvent Debtors who are willing to give up their Effects to dispose of the same for the benefit of the Creditors and to release the said Debtors from imprisonment, or in pursuance of another act Entitled an act to Enable the assignees of Insolvent Debtors more Effectually to dispose of the Estates of such Debtors for the Benefit of their Creditors and for other purposes therein mentioned passed in the Thirty Second year of his late majestys Reign; are all and each of them hereby repealed.

PROVIDING that the Creditors who have signed any petition in Consequence and in pursuance of any of the acts hereby repealed shall and may proceed to a final settlement in the same manner as if the said acts were still in full force & all powers given by the aforesaid acts are hereby continued for that purpose.

AND BE IT FURTHER ENACTED by the authority aforesaid that this act shall continue and be in force until the first day of January one Thousand seven hundred and sixty four as to the Libertys of the Creditors Petitioning & no longer but shall continue and be in full force as to the power of every court person assignee or assignees appointed by this act until a full and final settlement and Division shall be by them made according to the True intent & meaning of this act.

## [CHAPTER 1149.]

[Chapter 1149, of Van Schaack, and chapter 226 (vol. 2) of Livingston & Smith, where the act is printed in full. The acts amended and made valid are chapters 908, 939, 1093.]

An Act to amend and make Valid the acts therein mentioned.

[Passed, May 19, 1761.]

WHEREAS one certain act entitled "An act to prevent frauds in Debtors" passed in the Twenty fifth year of his late Majesty King George the second's Reign was intended to be continued by two other acts the one entitled "An act to continue an act Entitled an act to prevent Frauds in Debtors with an addition thereto" passed in the Twenty seventh year of his Said late Majesty's Reign to the first of January in the year of our Lord One thousand seven hundred and fifty four the other entitled "an act further to continue an act Entitled an act to prevent frauds in Debtors together with the act therein mentioned" passed in the Thirty third Year of his Said late Majesty's Reign to the first of January which will be in the year of our Lord One thousand seven hundred and sixty seven In both which continuing acts it is Recited that the first mentioned act passed in the Twenty fourth Year when it should have been Recited in them that it passed in the Twenty fifth year of his Said late Majesty's Reign by reason whereof disputes and difficulties may arise to prevent which.

BE IT ENACTED by his Honour the President the Council and the General Assembly and it is hereby enacted by the authority of the same that the three aforesaid acts and all the Transactions and proceedings thereon shall be and hereby are declared & Enacted TO be as good Valid and effectual to all Intents Constructions and purposes whatsoever as if in the said two continuing acts it had been Recited that the first aforesaid Act had passed in the Twenty-fifth year of his Said late Majesty's Reign any thing in the said two continuing acts to the Contrary notwithstanding.



## [CHAPTER 1150.]

[Chapter 1150, of Van Schaack, and chapter 227 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act to enable the Supervisors of the County of Westchester to raise the sum of One thousand Six hundred and Six pounds due from the said County on the act therein mentioned

[Passed, May 10, 1761.]

WHEREAS the Supervisors of the County of Westchester did (thro' Neglect on the first Tuesday in June one thousand seven hundred and fifty nine) Omit to raise the Sum of Eight hundred and three pounds and also made the same Omission in the Year of our Lord One thousand seven hundred and sixty for the like sum of Eight hundred and three Pounds due from the said County by Virtue of an act Entitled "An act for raising paying and Cloathing Two thousand six hundred and Eighty effective men officers included for forming an army of Twenty thousand men with the Forces of the neighbouring Colonies to Invade the French possessions in Canada in Conjunction with a Body of His Majesty's Regular Troops and other purposes therein mentioned" passed in the Thirty Second Year of his late Majesty's Reign

BE IT THEREFORE ENACTED by his Honour the President the Council and the General Assembly and it is hereby enacted by the authority of the same that it shall and may be lawful to and for the said supervisors of the said County of Westchester for the time being or the major part of them and they are hereby directed and required on the first Tuesday in June next when they shall meet to raise the Taxes of the said County to add the said Sum of One thousand six hundred and six pounds TO the Taxes then to be raised and order the same to be Collected and paid in the same manner and form and under the same Regulations as are contained in the before Recited Act

**LAWS OF THE COLONY OF NEW YORK.**

**[CHAPTER 1151.]**

[Chapter 1151, of Van Schanck, and chapter 228 (vol. 2) of Livingston & Smith, where the title only is printed.]

**An Act to Empower and enable the mayor aldermen & Commonalty of the city of albany for the time being or the major part of them to order the raising a sum not exceeding one hundred and Fifty pounds by a tax on Estates real & personal in the said city.**

[Passed, May 19, 1781.]

**WHEREAS** It is highly Reasonable that the publick and necessary charges of the city of Albany be duly satisfied and defrayed.

**BE IT** Therefore Enacted by his Honour the president the Council and the General assembly and it is hereby enacted by the authority of the same, that it shall and may be Lawful to and for the mayor aldermen and Commonalty of the city of albany for the time being or the major part of them and they are hereby fully authorized & impowered to order the assessing and levying on the Estates Real & personal of all and every the Freeholders freemen & Inhabitants Residents & Sojourners within the City of Albany a sum not Exceeding the sum of one hundred and Fifty pounds as they shall Judge necessary for the Defraying the publick and necessary charges of the said city

And for the due and better assessing Levying and collecting the Sum of money to be assessed & Levied in manner aforesaid. Be it Enacted by the authority aforesaid that the mayor aldermen & Commonalty of the said city of albany for the time being or the major part of them are hereby Directed and authorized on or before the fifteenth day of May in this present year to assemble & meet together in the city Hall of the said city & then & there to Cause to Come before them the assessors & collectors of the said city of Albany for the assessing collecting and Receiving of the publick rates for the defraying the publick charges of the said City for the time being who are hereby appointed to be the assessors and Collector for the assessing and Collecting the money to be raised by virtue of this act, and then & there order & Direct the said assessors to make the assessment of the Said Sum of money so Levied and Raised as aforesaid on all and every the Freeholders Freemen Inhab-

Hants Residents & sojourners of and in the said city, so that they return their said assessment under their hands into the Town clerks Office of the said city on or before the Fifteenth day of June then next Ensuing; and then also order and Direct the said collector to collect and receive the Same of and from the Respective Freeholders Inhabitants Residents and Sojourners of and in the said city according to the proportion they shall be assessed and rated, so that he pay in the money so collected and received unto the Treasurer of the said city on or before the Fifteenth Day of July then next Ensuing to be afterwards disposed of for the Defraying of the Publick and necessary Charges of the said city, by order of the said mayor aldermen & commonalty of the said City or the major part of them as they see Reasonable and Necessary.

AND BE IT FURTHER ENACTED by the authority aforesaid that the said mayor & aldermen of the said City of Albany have and shall have by virtue of this act full power and authority each of them by himself to administer to such assessor or assessors appointed or to be appointed for the Execution of this Act, an oath that they shall and will truly Execute the office of an assessor, and well and truly Equally Impartially and in due proportion assess and rate the Estates Real and personal of the Freeholders Freemen Inhabitants Residents and sojourners of and in the said city of albanys according to the Best of their Skill and knowledge, and therein shall spare no person for Favour or affection or aggrieve any person for Hatred or ill will. And the said assessors are hereby required to Deliver a Copy of their assessment fairly written and Subscribed by them into the Town clerks office of the said City on or before the said fifteenth day of June and the said clerk is hereby Directed and required to Cause the assessment so delivered to him to be fairly copied, and to be signed by the mayor and any two or more of the aldermen of the said city and then forthwith to be Delivered to the collector of the said city, in order to cause the Collecting the sum of money aforesaid to be paid in by the said collector unto the Treasurer of the said city on the said Fifteenth day of July.

AND BE IT FURTHER ENACTED by the authority aforesaid, that if any person or persons Elected nominated or chosen or to be Elected, nominated & Chosen, assessors or collector by virtue of this act Shall Deny refuse neglect or delay or unequally and partially assess the Freeholders Freemen, In-

habitants Residents and Sojourners of the said City or shall deny neglect Refuse or Delay to Collect any Sum or Sums of money in form before mentioned assessed. That then it shall and may be Lawful for the mayor and aldermen of the said city of Albany for the time being or any two of them and who by this act are required and impowered to Do the same by warrant under their hands and Seals to Commit Such assessors or Collector so Denying Refusing neglecting or Delaying or unequally or Partially assessing or refusing to Collect as aforesaid to the Common Goal, there to remain without Bail or mainprize until he or they Shall make fine and Ransom to his majesty for Such his contempt as aforesaid and upon such commitment the said mayor aldermen or the major part of them are hereby required and Impowered with all speed to appoint other assessors or Collector in the room and stead of such so Committed to Goal as aforesaid and such assessors or collector so appointed in manner aforesaid shall be to all intents and purposes the assessors & Collector for the Executing this act, in the room and stead of those Committed as aforesaid & be Liable to the same regulations pains and forfeitures as the other assessors and Collector by his act are Liable unto.

AND BE IT FURTHER ENACTED by the authority aforesaid that if any person or persons shall neglect or refuse to pay the several rates and assessments wherewith they shall be Charged by this act for or in respect of his and their Goods and Chattles Lands or Tenements upon Demand of the Collector that is or Shall be Chosen and appointed to receive the same or within ten days after such Demand, that then it Shall & may be Lawfull to and for Such Collector and he is hereby required for non payment thereof by warrant under the hands of the mayor & two or more of the aldermen of the said city for the time being to distrain the Person or Persons so refusing or neglecting to pay by his or their goods or Chattles or distrain in and upon the messuages Lands and Tenements so Charged and the goods and Chattles then and there found and the Distress so Taken, to Carry away and the same to Expose to sale within the said city for the payment of the said Rate or assessment and the overplus Coming by the said Sale if any be over and above the charges of taking and carrying away the said Distress to be Immediately returned to the owner Thereof.

AND BE IT FURTHER ENACTED by the authority aforesaid that over and above the said sum of one hundred and fifty pounds to be Levied and paid by virtue of this act the sum of six pence in the pound as a reward to the Collector for his Extraordinary Trouble shall be assessed levied and paid to the Collector for Collecting and paying the same and no more according to the true intent & meaning of this act any thing herein or in any other act or acts Contained to the Contrary hereof in any wise notwithstanding.

### THE TWENTY NINTH ASSEMBLY

*Second Session.*

(Begun Sept. 2, 1761, 1 George III, Cadwallader Colden, President.)

#### [CHAPTER 1152.]

(Chapter 1152. of Van Schanck, and chapter 229 (vol. 2) of Livingston & Smith, where the title only is printed.)

An Act Providing for one hundred & seventy three Volunteers officers included to be Employed in protecting the Different posts on the frontiers.

[Passed September 11, 1761.]

WHEREAS the time for which the forces raised in this Colony were enlisted is now near expired and as it is not possible his majestys Regular Troops drawn from the different posts on the frontiers Destined for the present important intended Expedition can return to relieve them before the Time is Elapsed, his Excellency General Amherst hath requested as absolutely necessary that a Body of men should be kept in pay of this Colony to be Employed for the protection of the Several Forts on the frontiers, during the Ensuing winter, or to the first day of July next, and this his majestys Loyal Colony being always willing to exert itself to its utmost for his majestys service and the Good of the Country in General.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governour the Council and the General assembly, and it is hereby Enacted by the authority of the same, that of the monies arisen or which may arise by virtue of the three following acts, viz. an act Entituled an act for Granting to his majesty the



several Duties and Impositions on Goods, wares & merchandizes imported into this Colony therein mentioned; an act Entituled an act for Emitting Bills of Credit for the payment of the Debts, and for the better Support of the Government of this Colony and other purposes therein mentioned, and an act Entituled an act to Restrain Hawkers and Pedlars within this Colony from selling without Licence, there shall be and hereby is appropriated for the services aforesaid the Sum of four Thousand five hundred pounds to be applied as herein after Directed, any thing in the said three acts to the Contrary notwithstanding.

AND BE IT ENACTED by the authority aforesaid that the Treasurer of this Colony shall out of any monies aforesaid in his hands or which shall be in his hands as aforesaid pay unto John Cruger, Beverly Robinson, and Peter Van Brugh Livingston Esquires Commissaries and paymasters to the forces raised in this Colony the sum of four thousand Five hundred pounds to be by them applied in the payment of one hundred and seventy three men officers included who are to be Employed in the services aforesaid after the following rates (viz) to one Captain ten shillings per diem, to three Lieutenants seven shillings per diem each to six Serjeants one shilling & eight pence per diem Each to twelve Corporals one shilling and six pence per diem each to one Drummer one shilling & six pence per diem and to one hundred and fifty private men one shilling and three pence per diem each. Deduction to be made for any deficiency in that number by death or otherwise, which forces they are hereby directed to pay according to the number that shall be in actual service & not Otherwise which shall be ascertained by the muster Roll of the said Company monthly delivered unto the said paymasters upon the oath of the Captain of the Company or the oath of the Commanding officer thereof at the time of such muster, which oath the said paymasters or either of them or such other person as the Lieutenant Governor or Commander in chief for the time being shall appoint are hereby impowered and required to administer in the words following, Viz. I A. B. do swear that the muster Roll here produced by me is Just and True and contains no more nor other persons names than such as are really and truly enlisted in my company & are now actually and really in the present Service. SO HELP ME GOD; and the said paymasters are hereby

Directed to pay to one Chirurgion attending the said forces the sum of ten shillings per diem.

AND BE IT ENACTED by the authority aforesaid that the Commissaries shall out of the monies aforesaid pay unto the said captain or other officer properly authorized to raise the said forces or their order respectively as and for an Encouragement to the men who shall enlist under him or them respectively the sum of Two pounds to be paid by him or them respectively, to each and every able Bodied man, who shall voluntarily enlist under him or them respectively on the aforesaid Service.

AND BE IT ENACTED by the authority aforesaid, that the said Commissaries shall out of the monies aforesaid, provide for each able Bodied man enlisted in the service of this Colony one Hatt one Cap, one Great Coat two Shirts one Jacket one pair of cloth Breeches two pair of Stockings, two pair of Shoes and one Blankett, of the due Disposition of all which aforesaid sums of money they the said paymasters shall render just and true accounts on oath to the Lieutenant Governour or Commander in chief for the time being, the Council or the General assembly, when by them or any of them thereunto required;

AND to the End the aforesaid Commissaries may be encouraged to do & perform the Several and respective Services required to be Done and performed by them respectively.

BE IT ENACTED by the authority aforesaid that the said Commissarys shall be allowed to retain in their own hands the Sum of two pounds on every hundred pounds they shall employ by virtue of this as a reward for their Care and Trouble in the Several and respective services hereby required to be Done and performed by them.

AND BE IT ENACTED by the authority aforesaid that the Commissaries before they receive any part of the monies hereby Directed to be paid unto them, shall Enter into Recognizances to our Sovereign Lord the King his heirs and Successors before one of the Judges of the Supreme Court of this Colony in the Sum of Four thousand five hundred pounds with Two Sufficient Sureties each in half that Sum conditioned that they shall well & truly Employ and apply the monies to be received by them as aforesaid to and for the several and respective uses and purposes, directed by this act and well and truly to observe do and perform all the Directions hereby required to be done and performed by them according to the true intent and meaning of this

act, which Recognizances are to be filed and Recorded in the Supreme Court of this Colony.

AND BE IT ENACTED by the authority aforesaid that if either of the before named Commissaries shall fail of employing and applying the monies so to be received by them in the manner & for the respective uses directed by this act, or omit to observe do and perform what is hereby required to be observed done and performed by them, in such Case or Cases the said Recognizances shall be proceeded upon in due form of Law, against such Offender or Offenders his or their sureties in the Supreme Court of this Colony, wherein no Essoin Protection, Wager of Law, or more than one Imparllance shall be allowed, and the money to be recovered in Consequence thereof, shall be paid into the Treasury of this Colony & applyed to & for such uses as shall hereafter be directed by act or acts to be passed for that purpose.

AND BE IT ENACTED by the authority aforesaid that if either of the said Commissaries shall happen to die remove out of this Colony or refuse to act according to the Several and Respective powers and authorities hereby required and directed, it shall & may be Lawful to and for his honour the Lieutenant Governor or Commander in Chief for the time being by and with the advice and Consent of his majesty's Council to nominate and appoint some other fit person or persons in the place and stead of him or them so dying removing or refusing to act as aforesaid, any thing herein Contained to the contrary notwithstanding. PROVIDED the person or persons who shall be so appointed shall be obliged to Enter into the Like Recognizance with the like Sureties as herein is Directed to be done by the said Commissaries before he or they be entitled to receive any part of the money herein mentioned, and in all respects be as subject to observe do & perform the Several Directions of this Act, as if he or they had been named or appointed in it.

AND BE IT ENACTED by the authority aforesaid that the before mentioned sum of money directed to be paid to the aforesaid Commissaries, shall be paid by the Treasurer of this Colony at such time and in such proportion as shall be thought necessary & expedient by his Honour the Lieutenant Governour or Commander in Chief for the time being by & with the advice and consent of his majesty's council of this colony for performing the several and Respective Services directed by this act.

AND that none of his majesty's Subjects who are inclined to go upon the service aforesaid may be impeded and debarred

from entering voluntarily therein; BE IT ENACTED by the authority aforesaid that no person who shall enlist or Enter himself a volunteer in the said Service shall during the same be liable to be taken therefrom by any process or Execution Whatsoever, other than for some Criminal matter, unless for a Debt or some other just Cause of action, and unless before taking out such process or Execution not being for a Criminal matter the plaintiff or plaintiffs therein or some other person or persons in his or their behalf shall make affidavit before one or more Judge or Judges of the Court of Record or other Court out of which such process or Execution shall issue, or before some person authorized to take affidavits in such Courts, that to his or their knowledge the original sum justly due and owing to the plaintiff or plaintiffs from the Defendant or Defendants in the action or Cause of action, on which such process shall issue, or the original Debt, for which such Execution shall be issued out amounts to the Value of fifty pounds current money of the Colony of New York over and above all Costs of suit in the same action or in any other action on which the Same has been or shall be Grounded, a memorandum of which oath shall be endorsed on the Back of such process or writt for which memorandum or oath no fee shall be taken, & if any person shall nevertheless be arrested contrary to the intent of this act, it shall and may be Lawful for one or more Judge or Judges of such Court upon complaint made thereof by the party himself or by any of his Superior officers to examine into the same by the oath of the parties or otherwise, and by warrant under his or their hands & Seals to discharge such Soldier so arrested or detained contrary to the intent of this act without paying any fee or fees upon due proof made before him or them that such Soldier so arrested or detained was duly enlisted for the Service aforesaid, and was arrested & detained Contrary to the intent of this Act.

AND BE IT ENACTED by the authority aforesaid that every person or persons whatsoever Engaged in the Service aforesaid, shall be continued therein until the first day of July one Thousand seven hundred and Sixty two, unless sooner relieved.

AND BE IT ENACTED by the authority aforesaid that in Case any person or persons whatsoever engaged in the Service aforesaid Either as officers or Soldiers shall at any time during the said Service desert therefrom, or shall begin, excite,

cause or join in any Mutiny or Sedition in the said Company, or shall hold Correspondence with any Rebel or Enemy of his majesty or give advice or intelligence by Letters Messages, Signs or tokens or any manner of way whatsoever, or shall strike or use any violence against his Superior officer being in the Execution of his office, or shall refuse to obey any Lawful Command of his superior Officer, they shall respectively Suffer Death, or such other punishment as shall be inflicted by a court martial, which court martial shall be held, Constituted and appointed by Commission from his Honor the Lieutenant Governour or Commander in Chief for the Time being under the Great Seal of this Colony.

AND BE IT ENACTED by the authority aforesaid, that when the Treasurer shall have paid all the Several Sums directed to be paid by this act, all the Residue of the aforesaid money shall remain in the Treasury to be disposed of by act or acts hereafter to be passed for that purpose.

AND BE IT ENACTED by the authority aforesaid that the Treasurer shall keep exact books of all his Receipts and payments by virtue of this act, and a true & just account thereof shall render on oath to his Honour the Lieutenant Governour or Commander in Chief for the time being the Council or the General assembly when by them or any of them thereunto required

#### [CHAPTER 1153.]

[Chapter 1153. of Van Schauck, and chapter 120 (vol. 2) of Livingston & Smith, where the act is printed in full. Continued by chapter 1172.]

#### An Act to prevent Frauds in the Sale of Damaged Goods imported into this Colony.

[Passed, September 11, 1761.]

WHEREAS Goods Imported here, and Insured in Great Britain, and elsewhere abroad are sometimes sold in this City, for the Account of the Insurers, and some persons taking the Advantage of their Absence, have frequently made fraudulent Sales to the great prejudice of the Insurers, the Undue Gain of the Assured, and detriment of the Commerce of this Colony. For a Remedy Therefore.

BE IT ENACTED by his Honour the Lieutenant Governor, the Council and General Assembly, and it is hereby enacted by the Authority of the same; that all damaged Goods hereafter to be Sold for Account of the Insurers shall be Sur-



veyed by the Master, or one, or more of the Wardens, of the Port of New York, for the Time being upon the first unloading thereof, or as soon after as the same are discovered to be damaged; & Such Sale Shall be made in his or their Presence, at Publick Vendue in the most publick & Convenient place, within the said City, Advertising the Sale thereof at least Twenty four Hours before, between the hours of Ten in the Morning and one in the Afternoon, which said Goods shall be only Such as are really damaged in the judgment of Such Master or Wardens, & the Sale thereof Shall be in Such separate pieces or Small parcells at a time as such Master or Wardens Shall think most for the Interest of the Insurer.

AND THE PERSON that shall Order Such damaged Goods to be Sold, Shall at the time of the Sale produce to the Eyewitnessers the Original Invoice of the Sterling Cost of Such damaged Goods, as he Shall direct to be Sold for Account of the Insurers, Unless Such Person do make Oath that no Such Invoice is come to his hands.

BE IT FURTHER ENACTED, by the Authority aforesaid that of all Sales of damaged Goods for the account of the Insurers, the Vendue Master, or Person Acting as Such, & Master or one or more of the Wardens, Shall Subscribe an Account of every Survey, and the proceedings thereon, and the Said Master or Wardens shall give a Certificate to the end, that the true damage may thereby appear.

BE IT ALSO ENACTED by the Same Authority, that the Master, & Warden or Wardens Shall each receive Ten Shillings a day, for attending the Services above mentioned, to be paid by the person at whose request the Sale is made, and for every Certificate Eight Shillings, And that the Vendue Master or Person Acting as Vendue Master, & the Master & Wardens or either of them offending against this Act, Shall for every Offence forfeit the Sum of Twenty Pounds, And that no Person shall make any Sale of Goods, for Account of such Insurers except in the manner above directed nor Make any Demand for a Loss without Transmitting or producing the Account of the Sales & Certificate above required, or a true Copy thereof, under the forfeiture of double the Value of the Amount, of Such Sales, all & every of which said Penalties, and Forfeitures may be recovered in any Court of Record in this Colony by Bill Plaint or Information, wherein no more than one Imparlance shall be allowed, one Month whereof Shall be to any

Person Suing for the Same, & the other Molety to be paid to the Treasurer of this Colony to be applied towards the Support of Government in the Manner hereafter to be directed.

BE IT ENACTED by the Authority Aforesaid that this Act, shall Continue & be in force, Untill the first day of January, One Thousand Seven Hundred & Sixty three,

[CHAPTER 1154.]

[Chapter 1154. of Van Schaack, and chapter 231 (vol. 2) of Livingston & Smith, where the act is printed in full.]

An Act for naturalizing John De Lisle Frederick Frank, and one hundred and forty Eight others whose names are therein mentioned

[Passed, September 11, 1761.]

WHEREAS John De Lisle, Frederick Frank, Hannes Wohlgemuth, Jacob Schneyder, Ludwick Kraan, Casper Zollinger, andreas Zollinger, Jorg Diefferdorf, Hannes Dieffedorf, Hendrick Sander, Felix Mayer, Casper Bauer, Hendrick Dieffedorf, Jacob Mayer, andreas Keller, Hans Geerlag Mayer Junr., Hannes Eigenbroodt, Johan Geerlag Mayer, Hendrick Heaz, Jorg Rosener, Frederick Greyger, Frederick Blank Hannes Jordan junr., Jacob Rother, Michael Sneyder, Ulrick Schad, Theodorus Schad, Hendrick Mayer, Casper Jordan junr., Peter Muller, Solomon mayer, Jacob Seeber, Johannes Schall, Georg Sprecher, Joseph Mayer, Johannes Plansz, Coenraad Hahn, Hendrick Eckler, andreas Dusler, Johannes Steffert, Christopher Hazerman, Paul Hoogstraser, Johan Christopher Armbrister, Henry Shopf Ludwick Elshever, Hendrick Dencker, Hannes Barent, Johannes Valentine, Casparus, Johan Jury Cookenham, Hens Marquat, anthony Poucher, Christian Tadrick, Jacob Weger, George Rim, Audrie Marcinhas, Francis Bryer, Stephanus Frank, Hendrick Haberman, Johannes Ehl, Jacob Haberman, Martin Sperbeck, William Spornbeir, William Heyns, Frederick Coenraad, Christian Cooper, Johan Hendrick Smith, Wilhelmus Smith, John Theil, Hans Jacob Bastiank, Frederick Mohr, Cornelius Rankel, Anthony Siemon, David Rusa, Jacob Vollenwyser, Hans Jury Tobias Liebharta, Johannis Bastianse, Elias Garlof, Godfried Shoemaker, George Sbrecker, Johannis Ratsman, Martin Sbrecker Coenraad, Sbrecker, Johannes Schal, George Stam, Lourens Stam, George Stam junr., Hendrick Dege, William

Seeber, Johan Nicholas Smith, Johannes Smith, George Cling, Jacob Seeber junr., Ernst Peker, Johannes Part, Hendrick Rorig, Coenraad Leber, Hans Kern, George Kernwaner, Phillip Herwagen, Peter Homan, Frans Friwa, Leonard Pay-r, Frederick Ceywids, Hans Fredericks, Johan Wick, Johan Letrer, Christian Caaf, Christian Schel, Hendrick Boom, Casper Manck, George David Durot, Peter Servis, Christopher Servis, Coenraad Smith, John Knafe, Jacob Knafe junr.; Hans Kittz, Jacob Kittz, Hannes Appel, Hannis Rice, Hendrick Bussard, Phillip Frederick, Paul Ketter, Adolph Young, John Alt, Christopher Lening, John Albrandt, John Walter, John Winecke, Augustus Eekler, John Everhardt Koghnol, John Everhardt Koghnol junr., Bastiaan Steenruler, Abraham Ecker, George Ecker, Jacob Sever, Phillip Baam, Cousyn Golneek, Anthony Simmons, Godfrey Leyderbach, Peter Muttee, Johannes Covert, Eildardus, Westerlo, Ernst Ludewig Lende, Benjamin Lindner, George Leonard Andreas Reigler, Adam Deets, William Deets, & Karrel Crepper, Have by their several Petitions presented to the General Assembly, desired that they may be naturalized and become his majesty's Llege subjects, that they may be Enabled Immediately to Execute their purpose of purchasing Lands and becoming Settlers in this Colony.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governour the Council and the General Assembly, and it is hereby Enacted by the authority of the same, That the above mentioned several persons and Each and every of them shall be, and hereby are Declared to be naturalized, to all Intents Constructions and purposes whatsoever, and from henceforth, and at all times hereafter, shall be intitled to have and Enjoy all the Rights and Liberties, priviledges and advantages, which his majestys natural Born Subjects in this Colony have and Enjoy or ought to have and Enjoy as fully to all intents and purposes, whatsoever, as If all and Every of them had been born within this Colony.

PROVIDED ALWAYS, and it is hereby further enacted by the Same authority that all und every and each of the above mentioned persons, shall take the oaths appointed by Law instead of the oaths of allegiance and Supremacy, Subscribe the Test, and make, repeat swear to and subscribe the Abjuration oath in any of his majestys Courts of Record within this Colony, which oaths the said Courts are hereby required, upon application to them made to administer, take subscriptions, and Cause

the names of the persons so Swearing and subscribing to be Entered upon record in the said Courts; and the said before mentioned persons are each of them hereby required to pay the several sums hereinafter mentioned, that is to say. To the Speaker of the General Assembly the sum of Ten shillings; To the Judge of the court the sum of six shillings, and to the clerk of such Court the sum of Three shillings

AND BE IT FURTHER ENACTED by the authority aforesaid, that If the said persons, or any of them, having so sworn and Subscribed as aforesaid shall demand a Certificate of his or their being Entered upon record, in the manner herein before directed the Court or Courts in which such oaths and Subscriptions shall be made are hereby directed and Required to Grant such under the hand of the Judge, and the seal of the said Court or Courts, in which such oaths and Subscriptions as aforesaid shall be made Countersigned by the Clerk of the said Court; For which Certificate each of them shall pay over and above the sums before mentioned the sum of six shillings, one half to the Judge of Such Court or Courts, and the other half to the Clerk thereof; which Certificate or certificates, shall at all Times be to the person or persons therein named a sufficient proof of his or their being naturalized by virtue of this act, in as full and Effectual a manner as if the record aforesaid was actually produced by the person or persons So named in such Certificates

PROVIDED ALWAYS and be it further Enacted by the authority aforesaid, that such of the persons hereby naturalized as shall not take the oaths, Test & abjuration, in manner herein before Directed within Twelve months next after the publication hereof shall have no manner of benefit by this Act, any thing herein Contained to the Contrary Notwithstanding.

AND BE IT ENACTED by the authority aforesaid that the publick printer of this Colony, shall and hereby is Directed and required to print this Act, as if the same were a publick act of this Colony.

## THE TWENTY-NINTH ASSEMBLY.

*Third Session.*

(Began Nov. 21, 1761, 2<sup>d</sup> George III, Caldwell & Colden,  
President.)

## [CHAPTER 1155.]

[Chapter 1155, of Van Schaack, where the title only is printed. Chapter 252 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 1126. Continued by chapter 1185.]

An Act further to continue an act Entitled "An Act for granting to his Majesty the  
"several Duties and Impositions on Goods  
"Wares and Merchandizes imported into this  
"Colony therein Mentioned"

[Passed, December 31, 1761.]

WHEREAS the Several Duties and Impositions on Goods Wares and Merchandizes imported into this Colony and Granted for the Support of the Government of his late Majesty King George the second by the abovementioned Act have by several Subsequent acts been continued to the first Day of January next And the General Assembly being willing to make Provision for the further support thereof.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same that the abovementioned Act Entituled "An Act for granting to His Majesty the several Duties and Impositions on Goods Wares and Merchandizes imported into this Colony therein mentioned" passed in the Twenty seventh year of his said late Majesty's Reign Shall be and hereby is continued and every Clause Matter and thing therein contained Enacted to be and remain in full force to all Intents Constructions and purposes Whatsoever from the Said first Day of January next Untill the first Day of January, Which will be in the year of our Lord One thousand Seven hundred and Sixty three, both days inclusive



## [CHAPTER 1156.]

[Chapter 1156, of Van Schaack, and chapter 233 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act for the payment of the salaries and services of the several officers of the Government to the first Day of September One Thousand seven hundred and sixty two.

(Passed, December 31, 1761.)

BE IT ENACTED by His Honour the Lieutenant Governor the Council and the General Assembly and It is hereby Enacted by the authority of the same That the Treasurer of this Colony shall, and he is hereby Directed and Required out of the monies arisen or which may arise by Virtue of the three following acts, VIZT. "An Act for Granting to His Majesty the several Duties and Impositions on Goods Wares and Merchandizes Imported into this Colony therein mentioned" "An act for emitting Bills of Credit for the payment of the Debts, and for the better Support of the Government of this Colony, and other purposes therein mentioned" And, "An Act to Restrain Hawkers and Pedlars from selling without Licence in this Colony" To pay the several Sums of money following, to wit

UNTO His Honor the Lieutenant Governor for administering the Government of this Colony from the first Day of September last to the first Day of September which will be in the year One thousand seven hundred and Sixty two after the Rate of Eighteen hundred Pounds per annum

UNTO His Said Honor the Lieutenant Governor for providing Fire Wood and Candles for His Majesty's Garrison in Fort George in the City of New York from and to the time aforesaid the sum of Four hundred pounds

UNTO the Chief Justice of the Supreme Court of this Colony for his services in that Station, and for going the Circuits from the time of his being Qualified in that office to the first Day of September One thousand seven hundred and sixty two after the Rate of Three hundred Pounds per annum, PROVIDED he holds his Commission During good behaviour

UNTO the second Justice of the Supreme Court of this Colony for his services in that Station, and for going the Circuits from the first Day of September One thousand Seven hundred and Sixty one to the first Day of September One thousand seven

hundred and sixty two after the Rate of Two hundred pounds per annum. PROVIDED he holds his Commission during good behaviour

UNTO the Third Justice of the Supreme Court of this Colony for his services in that station and for going the Circuits from and to the time last aforesaid after the Rate of one hundred and Fifty Pounds per annum PROVIDED he holds his Commission during good behaviour

UNTO the fourth Justice of the Supreme Court of this Colony for his services in that Station and for going the Circuits from and to the time aforesaid after the Rate of One hundred pounds per annum PROVIDED he holds his Commission during good behaviour

UNTO the Secretary of this Colony for the time being for Ingrossing and Enrolling the acts of the Governor Council and General Assembly from and to the time aforesaid the sum of Thirty pounds

UNTO the Clerk of the Council for the time being for his services in that Station from and to the time aforesaid the sum of Thirty Pounds.

UNTO the Door keeper of the Council for the time being for his Services in that Station from and to the time aforesaid the sum of Twenty pounds

UNTO William Weyman Publick Printer of this Colony for his services in that station from and to the time aforesaid after the Rate of Fifty Pounds per annum

UNTO John Kip Guager of Liquors subject to Duties within this Colony or to the Guager thereof for the time being for his services in that Station from and to the time aforesaid after the Rate of Thirty Pounds per annum

UNTO Thomas Hill and Josiah Smith Land and Tide Waiters or to the Land and Tide waiters for the time being for their services in that station from and to the time aforesaid after the Rate of Fifty Pounds per annum to each of them

ALL WHICH aforesaid several sums of money shall be paid by the Treasurer Quarterly on Warrants Issued by the Governor or Commander in Chief for the time being by and with the advice and Consent of His Majesty's Council of this Colony And the Receipts of the Several Persons endorsed on the said Warrants shall be to the Treasurer good Vouchers and Discharges for so much as shall be thereby acknowledged to be Received

AND BE IT ENACTED by the authority aforesaid That the Treasurer shall and he is hereby directed and Required out of

the Funds aforesaid to pay the several allowances following, to wit

Unto Abraham De Peyster Esquire Treasurer of this Colony for his services in that station from and to the time aforesaid after the Rate of Two hundred Pounds per annum and for the Extraordinary services which he is now obliged to perform beyond the Usual Duty of his office after the Rate of the further sum of One hundred Pounds per annum Which said Several sums or so much thereof as shall be really and truly Due shall be allowed to the said Abraham De Peyster or to his Executors or administrators as good discharges for so much in his or their accounts

UNTO Robert Charles Esquire Agent for this Colony in Great Britain as a reward for his Care, Trouble and Diligence in attending upon His Majesty and his Ministers of state about the affairs of this Colony from and to the time aforesaid after the Rate of Two hundred Pounds per annum Which said Sum or so much thereof as shall be really and Truly due shall be paid unto the said Robert Charles or to his Executors or Administrators by an order of the General Assembly of this Colony signed by the Speaker for the time being and not otherwise

UNTO Abraham Lott junior Clerk of the General Assembly for his services in that station from the first day of September One thousand Seven hundred and sixty one to the first Day of September One thousand seven hundred and sixty two, Twenty shillings per diem on a certificate from the General Assembly signed by the Speaker for the Number of Days he has Served or may serve the General Assembly during that time

UNTO the said Abraham Lott for sundry disbursements for the use of the General Assembly the sum of Twenty five pounds two Shillings

UNTO Alexander Lamb Doorkeeper to the General Assembly for his Services in that station from and to the time aforesaid Six shillings per Diem on a Certificate from the General Assembly signed by the Speaker for the number of Days he has served or may serve the General Assembly during that time

UNTO the said Alexander Lamb for sundry Disbursements and extraordinary services by him made and done for the use of the General Assembly the further sum of Twenty five Pounds Thirteen shillings and ten pence half penny

UNTO Teunis Somerndyck for the use of His House for the General Assembly the Sum of Thirty Pounds

AND BE IT ENACTED by the authority aforesaid that the Treasurer shall and he is hereby directed to keep exact Books of the several Payments which he is directed to make by this act and shall render true and distinct accounts thereof upon Oath to the Governor or Commander in Chief for the time being the Council or the General Assembly when by them or any of them he shall be thereunto required.

[CHAPTER 1157.]

[Chapter 1157, of Van Schaack, where the title only is printed. Chapter 234 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 1123. Continued by chapter 1183.]

An Act further to continue an act Entitled "An act for Regulating the Militia of the Colony of New York," together with the Several Acts therein mentioned respecting the Regulating the Militia.

[Passed, December 31, 1761.]

BE IT ENACTED by his Honor the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That the act aforesaid Entitled "An act for Regulating the Militia of the Colony of New York" Passed in the Twenty Eighth year of his late Majesty's Reign As also one other Act Entitled "An act to continue an act entitled An act for Regulating the Militia of the Colony of New York, with some additions thereto" Passed in the Twenty ninth Year of his late Majesty's Reign As also one other act Entitled "An act to amend an act Entitled An act for regulating the Militia of the Colony of New York" passed in the Thirtieth Year of his late Majesty's Reign And likewise one other act Entitled "An act further to continue an act entitled An act for Regulating the Militia of the Colony of New York together with the two acts therein Mentioned respecting the Regulating the Militia of New York with an Addition thereto" passed in the Thirty second Year of his late Majesty's Reign, shall be and hereby are continued And every Clause article, Matter, and thing in the said four acts contained Enacted to be and Remain in full force and Virtue to all Intents, Constructions and purposes Whatsoever from the first Day of January next until the first day of January which will be in the year of Our Lord One thousand seven hundred and sixty three

## [CHAPTER 1158.]

[Chapter 1158, of Van Schaack, where the title only is printed. Chapter 235 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 668. Further continued by chapter 1190.]

An Act further to Continue the Currency of the Bills of Credit, Emittid by virtue of an act, Entitled "an act for Emittidg Bills of Credit for the payment of the Debts & for the better support of the Government of this Colony, and other purposes therein mentioned, passed in the Eleventh year of his late majesty's Reign

[Passed, December 31, 1761.]

WHEREAS an act Entitled an act for Emittidg Bills of Credit, for the payment of the Debts, and for the better support of the Government of this colony, and other purposes therein mentioned, passed in the Eleventh Year of the Reign of his late majesty King George the second, has by several Subsequent acts been continued and prolonged until the third Tuesday in April, which will be in the year of our Lord, one Thousand seven hundred and sixty Two, AND WHEREAS the Circumstances of the Colony still require the aid of the Interest money arising on the Bills of Credit Issued by virtue of the act first aforesaid for Supporting the Government thereof.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the council and the General assembly, and it is hereby Enacted by the authority of the same, that the time for which the said Interest money stands appropriated for the support of the Government of this colony by the last subsequent act aforesaid Entitled an act further to continue the Currency of the Bills of credit Emittid by virtue of an act Entitled an act for Emittidg Bills of Credit for the payment of the Debts & for the Better support of the Government of this Colony and other purposes therein mentioned shall be & hereby is deferred, removed and further prolonged until the third Tuesday in the month of April which will be in the year of our Lord one Thousand seven hundred and Sixty three, any thing in any of the aforesaid acts to the Contrary notwithstanding, and that at the time last mentioned one fourth part of the Bills of Credit aforesaid, and the Remainder thereof



in the next three succeeding Years shall be paid in, cancell'd and destroyed, at the times and in the manner directed in and by an act Entitled an act for the more Effectual Cancelling the Bills of credit of this colony, passed in the Twenty first year of his said late majesty's reign, and that, as well the said first mentioned act as one other act entitled an act to facilitate and explain the Duty of the Loan officers in this colony, passed in the said Eleventh Year of his said late majesty's Reign, and every the Clauses, matters, articles, & things in them contained shall be and hereby are Enacted to continue and remain in full force & virtue, to all Intents, constructions and purposes whatsoever until the third Tuesday in April which will be in the year of our Lord one Thousand seven hundred and sixty six any thing in the said acts to the Contrary Notwithstanding

AND BE IT ENACTED by the authority aforesaid that the said Bills, during the Time they are hereby Enacted to remain current shall continue to be put out at Interest in the same manner and method as in the said first mentioned act is Directed, and that all the Interest money which may arise on them During that time, shall from time to time be Employed to and for the support of the Government of this Colony in such manner as shall by act or acts hereafter to be passed for that purpose, be ordered and Directed, and not otherwise, except so much thereof as may be necessary for Sinking and Cancelling the sum of Eight Thousand and fifty nine pounds fourteen shillings and Eleven pence Emitted in Bills of Credit by Virtue of the act first aforesaid, for paying the Debts then due from this Colony.

AND BE IT ENACTED by the authority aforesaid, that the Loan officers of the several cities & Counties within this Colony for the time being shall be and hereby are fully empowered and Authorized to alter the form of all such mortgages as shall by them or any of them hereafter be taken in any of their offices in relation to the Time and Times of payment in such manner, as to make the same answerable to the true intent and meaning of this act; any thing in any of the aforesaid acts to the contrary Notwithstanding

AND BE IT ENACTED by the authority aforesaid that whenever the Loan officers of the several Cities and Counties, within this Colony shall from the Information of any of the supervisors in the respective Counties of this Colony or from the Information of the Justices and Vestrymen of the City of

New York, or the major part of them have sufficient reason to suspect the Insufficiency of any of the securities taken or to be taken for any sums of money lent, or to be lent, out of any of their respective officers, Either as to the value or Title of the said securities, they the said Loan officers shall be and hereby are Empowered and required, to demand payment of the principal sums (Notwithstanding the Due payment of the Interest thereof) or further sufficient Security, and upon failure of the Due payment of such principal sums, or refusing or Neglecting to Give further Sufficient Security within fourteen days after such demand made, to proceed to the sale of the mortgaged Lands, or such other remedy as is Given by the first aforesaid act according to the nature of the Case, and therein to pursue the rules and Directions prescribed in and by the said act, any thing therein contained to the Contrary Notwithstanding

AND BE IT FURTHER ENACTED by the authority aforesaid, that if any of the persons, who became Security's for the Loan officers, pursuant to the first aforesaid act, shall be Desirous of being discharged from continuing longer under their said Engagements, they shall Give notice thereof in Writing unto the Supervisors of the respective counties, or to the mayor & aldermen of the respective City's, where they stand Engaged, between the first Tuesday in February and the first Tuesday in March in the Year one Thousand seven hundred and Sixty two, and the said supervisors, or mayor and aldermen, or the major part of them, respectively, shall immediately thereafter Give notice in Writing to the respective Loan Officers whose sureties so desire to be Discharged, that he or they do by the first Tuesday in April then next following provide and give new Security, and in case any of the Loan officers aforesaid so notified as aforesaid, shall fail of Giving new security to the satisfaction of the said Supervisors, or mayor and aldermen or the major part of them respectively by the said days then the said Supervisors or mayor and aldermen or the major part of them respectively shall proceed to the Choice of a new Loan officer or Loan officers in the room and stead of such so failing and in their proceedings thereon, shall pursue the directions of the first aforesaid Act, with respect to the Choice of New Loan officers in the several cases therein mentioned; anything in this or the aforesaid acts to the Contrary Notwithstanding.

## [CHAPTER 1159.]

[Chapter 1159, of Van Schaack, and chapter 236 (vol. 2) of Livingston & Smith, where the title only is printed. Expired January 1, 1763.]

An Act to regulate the Collecting the Duty of Excise on strong Liquors retailed in this colony from the first day of January one Thousand seven hundred and sixty two to the first day of January one Thousand seven hundred and Sixty Three.

[Passed, December 31, 1761.]

BE IT ENACTED by his Honour the Lieutenant Governour the Council and the General assembly and it is hereby Enacted by the authority of the same, that Cornelius Clopper shall be and hereby is appointed Commissioner for Collecting the Duty of Excise, of and from the Several retailers of Strong Liquors within the City and County of New York, from the first day of January one Thousand seven hundred and sixty Two, to the first day of January Which will be in the year one Thousand seven hundred and sixty three.

AND BE IT FURTHER ENACTED by the authority aforesaid That the said Commissioner shall as soon after the Publication of this act as he shall judge Convenient appoint the several retailers within the said City and Direct and ascertain what each Retailer shall pay for the said duty from the first day of January one thousand seven hundred and Sixty two, to the first day of January one Thousand seven hundred and sixty three, ALWAYS PROVIDED that the Whole sum so to be laid on the Several Retailers in the said City and County, shall be the full and entire sum of Nine hundred and fifty four pounds, with the additional sum of One hundred pounds for incidental charges and his commissions, Which last is to be at the Rate of five per cent, for which said Sum of one hundred pounds he shall account on oath, and if it Exceeds his Commissions and incidental Charges the surplus thereof shall be applied in ease of the Next years Excise: and the said Sum of Nine hundred and fifty four pounds shall by the said Commissioners be paid unto the Treasurer of this Colony, on or before the first day of January one Thousand Seven hundred and Sixty Three

AND BE IT FURTHER ENACTED by the authority aforesaid, that the Several & respective persons hereafter named shall

be and hereby are appointed Commissioners for Collecting the Duty of Excise of and from the Several and respective Retailers Within the several and respective Counties of this Colony hereafter mentioned, and the Harbours, Bays, and Rivers respectively thereunto adjoining and belonging vizt. For the City and County of Albany,

The Mayor Recorder & aldermen of the said city.

For Kings County, Theodorus polhemus, Esquire

For Queens County, Benjamin Townsend Esq.

For Suffolk County, Richard Floy'd, Hugh Gelston and Samuel Landon Esqrs.

For Westchester County Edward Stevenson, Esquire

For Dutches County James Duncan and Clear Everitt Esqrs

For Ulster County Capt. Jonathan Haasbrook and Joseph Gasharie

For Orange County Major William Thompson and Jacob Concklin Esqrs

And for Richmond County Jacob R.seau, Hezekiah Wright and Joseph Beadle Esqrs.

AND BE IT ENACTED by the authority aforesaid, that the aforesaid several and respective Commissioners or the Major part of them respectively shall, as soon as conveniently they Can after the publication of this act meet at the County Halls of their Several and respective Counties, or at such other place or places as they the said Commissioners shall respectively appoint, for putting in Execution the powers and authorities given by this act, at which time, or at such other times as they shall judge Necessary, the said Commissioners or the major part of them respectively shall for their own Counties Severally and respectively fix the Number and appoint the several Retailers Within their Several and respective Counties, and direct and ascertain what each Retailer shall pay for the said Duty of Excise from the first day of January one Thousand seven hundred and sixty two to the first day of January one Thousand seven hundred and Sixty three, ALWAYS PROVIDED, that the Sum to be laid on the Several Retailers in the City and County of Albany shall be the full and intire Sum of One hundred and Twenty Seven pounds with the Sum of Thirteen pounds in addition thereto for the charges of Managing the same.

On the several Retailers in Kings county the full and intire Sum of forty pounds with the sum of five pounds in addition thereto for the charges of managing the same.

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On the several Retailers in Queens County the full and entire sum of one hundred and Twenty five pounds with the sum of five pounds in addition thereto for the Charges in managing the same.

On the Several Retailers in Suffolk County the full and entire sum of Sixty pounds with the sum of Nine pounds in addition thereto for the Charges of managing the same.

On the Several retailers in West Chester County the full and entire sum of seventy pounds with the sum of Ten pounds in addition thereto for the charges of managing the same.

On the several Retailers in Dutchess County the full and entire sum of Forty two pounds, with the sum of Eight pounds in addition thereto for the Charges of managing the same.

On the several Retailers in Ulster County the full and entire sum of Thirty Eight pounds With the sum of Eight pounds in addition thereto for the Charges of managing the same.

On the several Retailers in Orange County the full and entire sum of Nineteen pounds with the sum of three pounds in addition thereto for the Charges of managing the same.

On the several retailers in Richmond County the full and entire sum of Twenty five pounds, with the sum of thirty shillings in addition thereto for the Charges of managing the same.

AND BE IT FURTHER ENACTED by the authority aforesaid that the aforesaid several & Respective Commissioners before they Enter on the Execution of the powers and authorities given by this act; Enter into Recognizances unto our Sovereign Lord the King, His heirs and successors before any Judge of the Supreme Court, or of the inferior Courts in the following sums that is to say.

THE said Cornelius Clopper in the penal sum of one Thousand Nine hundred and eight pounds.

THE said Theodorus Polhemus in the penal sum of Eighty pounds.

THE said Benjamin Townsend in the penal sum of Two hundred and Fifty pounds

THE said Richard Floyd Hugh Gilston and Samuel Landen in the penal sum of one hundred and Twenty pounds.

THE said Edward Stevenson in the penal Sum of One hundred and Forty pounds.

THE said James Duncan Esq. and Clear Everit Esq. in the penal sum of Eighty four pounds.

THE said Jonathan Haasbronck and Joseph Gasherie in the penal sum of seventy six pounds.



THE said William Thompson and Jacob Concklin in the penal sum of Thirty Eight pounds.

And the said Jacob Rescau, Hezekiah Wright and Joseph Beadle in the penal sum of Fifty pounds.

CONDITIONED that they shall well and Truly pay to the Treasurer of this Colony on or before the first Day of January, which will be in the year of our Lord One Thousand seven hundred and Sixty three THE several and Respective sums to be laid in manner as aforesaid, on the several and Respective Retailers within their several and respective counties, exclusive of the several and respective sums by this act allowed for the Charges of management.

AND BE IT FURTHER ENACTED by the authority aforesaid that the aforesaid several and Respective Retailers shall pay the aforesaid several and Respective sums laid or to be laid on them, unto the aforesaid several and respective Commissioners on or before the first day of December one Thousand seven hundred and sixty Two, for Securing which payment, the said Commissioners shall respectively oblige the said several and Respective Retailers to Give such Security, as they the said Commissioners, shall Judge Necessary. PROVIDED that such Retailers in the City of New York as shall be rated three pounds and under, and such in the several Counties as shall be rated at thirty Shillings and under, shall Not be permitted to have Liberty to retail unless they immediately pay the several and respective Sums they shall be rated at, to the aforesaid Commissioners: any thing herein before Contained to the Contrary Notwithstanding

AND BE IT FURTHER ENACTED by the authority aforesaid, that in Case any person or persons whatsoever, other than such as the said Commissioners shall permit, shall presume to sell any Strong Liquors by retail directly or indirectly the Offender or Offenders shall for Each such offence forfeit the sum of six pounds to be recovered by the said Commissioner or Commissioners respectively on the oath of any one Credible Witness in a summary way in the City's of New York and Albany before the Mayor or Recorder and one or more aldermen of the said Cities respectively, and in the several Counties before any Justice of the peace within the said Counties respectively: and if upon Conviction the said Forfeitures be not paid the same shall be Levied on the Goods and Chatties of the offender or offenders by Warrant or Warrants under the hands and seals of the persons before whom such Conviction

shall happen, and if no goods and Chattles are found on which to destrain, it shall and may be lawful for the persons who heard and Determined the Cause to Commit the offender or offenders to Goal, without Bail or mainprize, for the space of Three months, unless the penalties are sooner discharged; and the said respective Majestrates shall be and hereby are fully Impowered, directed and required to hear and Determine these matters, in the manner aforesaid, and to give Judgment, and if Need be to award Execution thereon, and to Issue a warrant or warrants, for the Commitment of Offenders as the Case may require, One Third of which forfeiture shall be to the Informer or Informers, one third to the said Commissioners and one Third to the poor of the Town manor or Precinct where the offence shall be Committed, to be paid into the hands of the Church Wardens or overseers of the Poor of the said Respective place or Places, by the officer or officers by whom the Same shall be levied; any thing in any of the acts of this Colony to the Contrary Notwithstanding

AND BE IT ENACTED by the authority aforesaid, that the several retailers, who shall be permitted and allowed to retail by the said Commissioner or Commissioners shall before they do so retail any strong Liquors, Enter into Recognizances, that is to say in the City's of New York and Albany, before the respective Mayors thereof, and in the several Counties of this Colony before Two Justices of the peace in the penal sum of Twenty pounds with Sufficient Sureties in the like sum CONDITIONED to Keep an orderly house according to Law, during the Time they shall be permitted to retail as aforesaid; And thereupon the said Respective mayors, or the said Justices shall Grant to such person or persons who have Entered into such Recognizance a Licence under his or their hands and seals to retail strong Liquors, in such house and place as shall be mentioned therein during the Continuance of this act, which Recognizances are to be lodged by the person or persons before Whom the same shall be taken Vizt. in the City's of New York and Albany with the Town Clerks, and in the several Counties with the respective Clerks thereof; and upon Complaint of the Breach of the said Condition it shall be Lawful for the said mayors and aldermen of New York and Albany or the Greater Number of them and in the Counties for the Justices of the

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General and Special Sessions of the peace to suppress the Licence or Licences of such offender or offenders.

AND BE IT FURTHER ENACTED by the authority aforesaid, That in Case any of the Persons Who shall be permitted to retail strong liquors as aforesaid by the said Commissioner or Commissioners shall presume to retail before Licence be obtained, or a Recognizance be Entered into to Keep an orderly house the Person so offending shall forfeit the sum of six pounds for each offence to be recovered in a summary way in the Manner before directed, one half thereof to the Informer and the other half to the poor of the Town manor or precinct Where the Forfeiture shall arise.

AND that the expence of being Qualified to retail may be Within the Bounds of moderation; BE IT ENACTED by the authority aforesaid that no more shall be taken for a Licence & Recognizance in the City of New York and albanay than the usual and accustomed fees, and in the respective Counties than the sum of three shillings.

AND BE IT FURTHER ENACTED by the authority aforesaid that Such persons permitted to retail as aforesaid by the said Commissioner or Commissioners who retail Strong liquors not to be Drank in their own houses, but Carried elsewhere, shall not be obliged to enter into Recognizances, and take Licence as aforesaid, any thing contained in this act to the Contrary Not withstanding

AND BE IT ENACTED by the authority aforesaid, that in Case all the several sums for which the Excise shall be let in the Several and respective City's and counties of this Colony shall fall short of the sums herein before rated on the said Several and respective cities and counties with the aforesaid incidental charges of letting and Collecting the Same, then the Commissioner or Commissioners aforesaid where such Difficiencies shall happen, shall be and are hereby impowered to Call the retailers before them, and assess and rate such sum and sums upon them as shall be Sufficient to make up such Difficiency's Which said additional sums shall be collected and paid in the same manor with the Several and respective sums first laid.

AND BE IT FURTHER ENACTED by the authority aforesaid that in Case of the Death of any of the aforesaid Commissioners the surviving Commissioner or Commissioners where such death may happen shall be and hereby is and are entitled to the Whole reward and Vested with the same powers and author-

ities to Execute this act, as if no such death had happened; and in Case of the Death of all the Commissioners of any of the respective City's and County's then the SHERIFF or Sheriffs for the time being, of the Cities County's or County where such Death may happen, shall be and hereby is and are Vested with all the Powers and authorities Given to the Commissioners by this Act, shall be under the same Regulations and intituled to the same rewards, to all intents, Constructions and purposes whatsoever as if they had been particularly named & appointed in this act. any thing in this act to the Contrary Notwithstanding

AND BE IT FURTHER ENACTED by the authority aforesaid, that all the monies to be paid to the Treasurer of this Colony by Virtue of this Act, shall be employed for and towards cancelling the Bills of Credit struck and emitted upon the said Duty of Excise, at the Times and in the manner directed in and by an act Entituled an act for the more Effectual cancelling the Bills of Credit of this Colony passed in the Twenty first Year of his late Majesty's Reign and to and for no other use Whatsoever.

AND BE IT FURTHER ENACTED that the Retailers in the City of New York shall pay the Excise in three several payments or sooner as the Commissioner and they shall agree, PROVIDED ALWAYS, that nothing in this act shall be Construed to make Void abridge or any wise lessen the several rights and privileges Granted unto the cities of New York and Albany by their respective Charters, any thing Contained in this act to the Contrary thereof Notwithstanding

#### [CHAPTER 1160.]

[Chapter 1160, of Van Schaack and chapter 237 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapters 908, 937. Continued by chapter 1322.]

An Act more Effectually to Impower the Trustees of Fraudulent & absconding Debtors appointed or to be appointed, pursuant to an act Entituled [An act to prevent Frauds in Debtors] to Exercise the powers they are or may be invested With and for more effectually extending the said Act to Creditors not residing within this Colony.

(Passed, December 21, 1761.)

WHEREAS In and by the sixth Clause or Section of a Certain act of the Governor the Council and the General Assembly

Entituled "an act to prevent frauds in Debtors" passed in the Twenty fifth year of the Reign of his Late Majesty King George the second, it is among other things Enacted "That the said Trustees therein mentioned or any two of them shall be and thereby are fully impowered to settle and adjust all matters and accounts that may be subsisting between the said absconding person or persons, and his her or their Creditor or Creditors, and to Examine any person or persons upon oath Concerning such account and settlements Which oath the said Trustees, or any Two of them are thereby Impowered and required to Administer AND WHEREAS the said Clause or Section hath been found Deficient, as Well With Respect to the method of summoning the Person so to be Examined as aforesaid, as with respect to the not Impowering the said Trustees to summons before them and to Examine all such person or persons, Who shall Conceal any of the Effects of such Debtor or Debtors, or who shall Know any thing Concerning such Concealment by means Whereof several Persons who Could materially Depose or affirm Concerning the Estate and Effects of such Debtors have refused to attend for that purpose and the Good Intent of the Legislature in the above recited part of the said act, hath been in a Great Measure eluded. To Remedy Which defect for the Future.

BE IT ENACTED by his Honour the Lieutenant Governor the Council, and the General Assembly, and it is hereby Enacted by the authority of the same, that it shall and may be Lawf ul for the Trustees of any Debtors Estate already appointed or hereafter to be appointed by Virtue of the said act, or the Majority of them, to apply to any Justice of the peace, who is hereby authorized and required to Grant a Warrant under his hand and seal Commanding the Wife of such Debtor, and Every other person Whatsoever known or suspected to detain any part of the said Debtors Estate, or to be indebted to it, or knowing or Suspected to Know any thing Concerning the Concealment or Embezzlement thereof, by their Respective Names forthwith to be brought before such Justice and Trustees at such place as the said Justice and Trustees or the majority of them, shall at the time of the application for such warrant appoint, where the said Justice of the Peace is also hereby required to be present, or in Case of his Death, absence or Indisposition, such other Justice of the Peace as the said Trustees or the majority of them shall Desire to be present, at which meeting the said



Trustees, or the major part of them shall & may Examine on oath or if a Quaker on his or her affirmation (Which oath or affirmation the said Justice of the peace is hereby required to administer) as Well by Word of mouth as on Interrogatories in writing, all and every person or Persons brought before the said Justice and Trustees, by Virtue of such Warrant or warrants, or are present at any such meeting of the said Justice and Trustees or the Major part of them touching all matters Relative to the person Trade Dealings Estate and Effects of all and Every such Debtor or Debtors, and also to take Down or reduce into Writing the answers of every such person had or taken before them as aforesaid Which Examination so taken Down or reduced into writing, the person Examined Shall and is hereby required to sign and Subscribe, and in Case any person so brought before them the said Justice and Trustees or the Major part of Them shall refuse to be sworn or if a Quaker to affirm as aforesaid, or being sworn or affirmed shall refuse to answer, or Shall not fully answer to the Satisfaction of the said Justice & Trustees, or the major part of them, all Lawful Questions put to her him or them by the said Justice & Trustees or the major part of them as Well by Word of mouth as by Interrogatories in Writing or shall refuse to sign or Subscribe his her or their Examination so taken Down in writing as aforesaid not having a reasonable objection to either the Wording thereof or otherwise, to be allowed by the said Justice & trustees or the Majority of them, It shall and may be lawful to and for the said Justice of the peace, and he is hereby Required by Warrant under his hand and Seal to Commit him her or them to prison there to remain without Bail or Mainprize until such Time as such person or persons shall Submit him her or themselves to the said Justice and trustees to be sworn or affirmed as aforesaid, and full answer to make to the Satisfaction of the said Trustees or the Major part of them, together with the Said Justice of the peace, to all such questions as shall be put to him her or them as aforesaid, and to sign and Subscribe such Examination as aforesaid, according to the True intent and meaning of this act. PROVIDED ALWAYS that in Case any person or persons shall be Committed as aforesaid for refusing to be sworn or affirmed or to answer or not fully answering any Question or Questions put to him her or them by the said Justice and Trustees or the major part of them by word of mouth or on Inter-

rogatories, that the said Justice of the peace shall in his Warrant of Commitment Specify such default respectively and if the Commitment be for refusing to answer any Question or Interrogatory the said Justice shall in his Warrant Specify Such Interrogatory or Interrogatories Question or Questions, PROVIDED ALSO that in Case any person or persons Committed by such warrant by virtue of this act shall bring any Habeas Corpus in order to be Discharged from any such Commitment, and on the return of any such Habeas Corpus there shall appear any such insufficiency whatsoever in the form of the Warrant whereby such person was Committed, by reason whereof the party might be discharged of such Commitment, that then it shall and may be Lawful for the Court or Judge before whom such party shall be brought by habeas Corpus as aforesaid, and such Court or Judge shall and is hereby required by rule, order or Warrant to Commit such person or persons to the same prison there to remain as aforesaid, unless it shall be made appear to such Court or Judge by the party Committed that he she or they have fully answered all Lawful Questions put to him her or them by the said Justice and Trustees or the Major part of them or in Case such person was Committed for not signing his her or their Examination, unless it shall appear to such Court or Judge that the party so Committed had a good and Sufficient reason for refusing to sign the same, and in Case any Goaler or Keeper of any prison to whom such person or persons shall be Committed as aforesaid shall wilfully Suffer such person or persons to Escape from such prison until he she or they shall be duly discharged as aforesaid, Such Goaler or Keeper shall for such his Offence being duly Convicted by Indictment or Information forfeit to the Creditor or Creditors of such absconding person or persons, all such sum or sums of money due to such Creditors, provided they do Not exceed the sum of One Thousand pounds.

AND BE IT FURTHER ENACTED by the authority aforesaid that in Case any such person so to be examined as aforesaid shall Wilfully and Knowingly affirm or swear falsely, the person so offending shall be Lyable to the same pains and penalties, as those are who are Convicted of wilful and corrupt perjury

AND BE IT ENACTED that the first above mentioned act Entituled an act to prevent frauds in Debtors, shall be and is hereby extended to Creditors residing out of this Colony, and

that the attorney or attorneys of every such Creditor or Creditors on producing a Letter of attorney from such Creditor or Creditors duly authenticated and legal proof of the Debt due shall and may in all respects act do and proceed for and in the behalf of such Creditor or Creditors in the same manner as such Creditor or Creditors might or could do for securing or recovering their respective Debts due from absconding Debtors as if such Creditor or Creditors was or Were personally present any thing in the said Act to the Contrary thereof in any Wise Notwithstanding

[CHAPTER 1161.]

[Chapter 1161, of Van Schaack, and chapter 238 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act to Impower Sir William Baker Knight and Robert Charles Esquire of the City of London to receive the Sum that shall be allowed to this Colony by his Majesty out of the Sum of Two Hundred Thousand Pounds granted by Parliament for the Northern Colonies for defraying the Expence of the Campaign of the Year one Thousand Seven Hundred and Sixty

[Passed, December 31, 1761.]

WHEREAS the Parliament of Great Britain hath granted the Sum of Two Hundred Thousand Pounds to the Northern Colonies for the Campaign of the Year One Thousand Seven Hundred and Sixty and no Person being authorized to receive the Proportion that his Majesty shall be graciously pleased to allot to this his Loyal Colony, in Consideration of the great Expence it hath been put to, in Raising paying and Cloathing a large Body of Troops to assist his Majesty's General and Commander in Chief, in the Reduction of Canada.

BE IT THEREFORE ENACTED by His Honor the Lieutenant Governor the Council and the General Assembly, and it is hereby enacted by the Authority of the same, that the said Sir William Baker and Robert Charles Esquire shall be and hereby are authorized and impowered to receive all such Part or Proportion of money as are or shall be allotted by his Majesty for this Colony out of the said Sum of Two Hundred Thousand pounds, which said Part or Proportion of money the said Sir

William Baker and Robert Charles Esquire are hereby directed to pay to the order of the Treasurer of this Colony (who is hereby authorized and required upon advice of the said money being paid into their hands) to draw Bills for the same and to sell the said Bills to the best advantage, and to keep true and exact Accounts of the money that shall come to his Hands by the Sale thereof.

AND BE IT FURTHER ENACTED by the Authority aforesaid that all the money that shall be received by the Treasurer by Virtue of this Act shall remain in the Treasury untill it shall be disposed of by Act or Acts hereafter to be passed for that Purpose.

[CHAPTER 1162.]

[Chapter 1162, of Van Schnack, and chapter 239 (vol. 2) of Livingston & Smith, where the title only is printed. See chapter 1093.]

An Act to Impower the persons therein Named to recover and Collect the arrears of the excise on Tea due on the acts therein Mentioned.

[Passed, December 31, 1761.]

WHEREAS by an act of the Governour Council and General assembly passed in the Thirtieth year of the Reign of his Late Majesty King George the second, Entituled an act for laying an Excise upon all tea of Foreign Growth, retailed within this Colony; it Was among other things Enacted that all and every person or persons who should apply for and obtain a Licence or Licences to sell and dispose of such Tea by way of Retail should Keep an exact account of all such Tea by them retailed, and upon the payment of the money by the said act Laid upon all such retailed Tea, produce the said account to the managers by Whom they were respectively Licensed and take an oath or affirmation that the account so produced was a just full and perfect account of all Tea of foreign Growth Sold by retail from the Commencement of the said act to the day the said settlement was made, which act was by two subsequent acts the one passed in the Thirty first year of his Late Majesty's Reign Intituled an act to Continue an act, Intituled an act for laying an excise upon all Tea of Foreign Growth retailed within this Colony with an addition thereto. The other passed in the Thirty Second year of his said Late Majesty's Reign Entituled an act further to Continue an act, Entituled an act for laying an

excise upon all Tea of foreign Growth retailed within this Colony with additions thereto Continued to the first day of January One Thousand seven hundred and sixty, AND WHEREAS by another act passed in the Thirty Third year of his said Late Majesty's reign Entituled an act for laying an excise upon all Tea of foreign Growth retailed within this Colony during the time therein mentioned, the like duty is laid for one year Ending the first day of January one Thousand seven hundred and sixty one, The like accounts are directed to be Kept produced and proved on the oath or affirmation of the party as may more fully appear by reference to the said acts, and Whereas several persons Licensed or permitted by Virtue of one or more of the aforesaid acts, have Notwithstanding Neglected or refused to render accounts on oath to the Managers by the said acts appointed, of such Tea by them respectively Sold as by the said act or acts there were directed, by Which Neglect or refusal they have respectively forfeited the sum of Fifty pounds, AND WHEREAS the said act being expired Doubts have arisen whether the Managers by the Last of the said acts appointed have sufficient power to sue for the said Forfeitures.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governour the Council and the General Assembly and it is hereby Enacted by the authority of the same, that It shall and may be lawful for Benjamin Blagge of the city of New York, who is hereby impowered authorized directed and Required to Issue a summons unto all and Every such person and persons residing within this Colony (except within the County of Albany) and for Volkert P. Douw of the City of Albany who is hereby impowered authorized and required to issue Summons unto all and every such person or persons residing Within the said City and County of Albany, Respectively as they shall Know or have cause to suspect of a Neglect or refusal to deliver in on Oath an account of all Tea of foreign growth by them Respectively retailed during the Continuance of their License or Licenses permit or permits to appear before them respectively on a certain day in the said summons to be specified and such person or persons so to be Summoned and appearing shall take the following oath or affirmation as the Case may happen, Which oath the respective managers are hereby impowered to administer, I., A. B. do swear or affirm that the account Now by me produced is a just full and perfect account of all the Tea



of foreign growth by me sold by retail from the day on which I first obtained a License to retail Tea or from the day of the last Settlement by me made to the time that my last Licence or permit expired. And for every pound of Tea that shall appear by the said accounts so produced and sworn to have been retailed the retailers shall pay to the respective managers the sum of six pence together with the Reasonable cost of Summons.

AND BE IT FURTHER ENACTED by the authority aforesaid that if any person or persons that shall be so summoned to appear before the respective managers shall refuse to appear or to produce such account as aforesaid or shall refuse to swear to the same and pay the Duty of six pence for every pound as above is directed every such person or persons shall forfeit and Lose for every such offence the sum of fifty pounds.

AND BE IT FURTHER ENACTED by the authority aforesaid that the before mentioned forfeitures shall be sued for and recovered by the aforesaid Managers respectively in any Court wherein such Causes are Cognizable, and When recovered paid into the Treasury together with the produce of the said Duty of six pence for Every pound, and shall remain there until the same be disposed of by act or acts hereafter to be passed for that Purpose.

AND BE IT ENACTED by the same authority that the Treasurer shall Keep and he is hereby required directed and ordered to Keep exact Books of all his receipts by Virtue of this act and a true and just account thereof shall render upon oath unto the Governour or Commander in Chief for the Time being the Council and General assembly when by them or any of them he shall be thereunto Required.

AND WHEREAS it may prove very Inconvenient to many of the retailers of Tea aforesaid to attest their accounts before the managers as aforesaid by reason of the Distance many of the Retailers live from said Managers, for remedy Whereof, BE IT ENACTED by the authority aforesaid that it shall and may be lawful for the several and respective Retailers of Tea Who are in arrear to attest their accounts before one of the Judges of the Court of Common pleas within any of the respective Counties of this Colony where such retailers Dwell and reside, Which accounts so attested shall be received & allowed by the aforesaid Managers, any thing herein to the Contrary Notwithstanding.

## [CHAPTER 1163.]

[Chapter 1163, of Van Schaack, and chapter 240 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapters 1282, 1303.]

An Act for the more Effectual Prevention  
of Fires and for Regulating of Buildings in  
the City of New York.

[Passed, December 31, 1761.]

WHEREAS the Frequent Instances of the Extensive Destruction made by Fire in many populous City's renders it highly necessary to use all possible precaution against the like Calamities, and there being reason to apprehend that Great part of this City from the Number of houses in the same being roofed with shingles is peculiarly Exposed to the Rage of that Dreadful Element.!

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governour the Council and the General assembly, and it is hereby Enacted by the authority of the same that from and after the first day of January which Will be in the year of our Lord one Thousand seven hundred and Sixty Six every Dwelling house or Building Whatsoever whether public or private that shall be Erected after the said first day of January in the said year of our Lord one Thousand seven hundred and sixty six, within the said City to the Southward of Fresh water shall be made of Stone or Brick and Roofed with tile or slate, and if any dwelling house or Building Whatsoever either public or private shall be built or roofed Contrary to the true intent and meaning of this act the proprietor or proprietors thereof and the Workmen who shall build or roof such house or Building Contrary to the true intent and meaning of this act shall each of them forfeit lose and pay for Every Such Default the sum of Fifty pounds to be levied by Warrant under the hands and seals of two or more of his Majesties Justices of the peace for the said City and County of New York by Distress and sale of the Offenders goods upon due Conviction upon oath, or upon the View of one or more of such Justices of the peace, rendering the overplus if any be to the owners, and for Want of such Distress the offender shall be imprisoned by warrant from the said Two Justices, who are hereby empowered and required to Issue such Warrant until payment as aforesaid which said forfeitures shall be paid to the Church Wardens of the City of New York for the time being

for the use of the poor of the said City; and every such Dwelling house or other Building whatsoever so built or roofed Contrary to the True intent and Meaning of this act shall be and hereby is adjudged Deemed and taken to be a publick Nuisance. PROVIDED NEVERTHELESS that if any dwelling house or Building already Erected or that shall be Erected in the said City to the Southward of Fresh water before the said First day of January Which will be in the said year of our Lord one Thousand seven hundred and sixty six, shall at any time hereafter Require to be new roofed, and the Body or Walls of such Building shall not be sufficient to bear a roof of Tile or slate it Shall and May be Lawful for the Proprietor or proprietors thereof to roof the same with Board or shingles or in such other way and manner, or was Customary before the making of this act any thing herein Contained to the Contrary thereof in any Wise Notwithstanding, and in order to Determine Whether the Body or Walls of such Building be sufficient to bear a roof of Tile or slate BE IT FARTHER ENACTED by the authority aforesaid that it shall and may be Lawful for the Sheriff of the city and County of New York for the time being and he is hereby required on the application of the Proprietor or Proprietors of such dwelling house or other Building to him made for that purpose to summons a Jury of Twelve Freeholders of the said City to inspect and Examine the same, who shall be duly sworn well and duly to try and Determine the same, which oath the said sheriff is hereby authorized and required to administer to Each of the said Jury, and if the majority of such Jury shall find that the Body or Walls of such Dwelling house or other Building is not Sufficient to bear a roof of Tile or slate they shall sign an Inquisition to that purpose, Together with the said Sheriff, which Inquisition the said Sheriff shall Deliver unto the Proprietor or proprietors of such dwelling house or other Building, and Which Inquisition shall be and is hereby declared to be Good Evidence of such Inanfficiency on any trial upon a prosecution for roofing such Dwelling house or other Building Contrary to this act, and if the Majority of such Jury shall find that the Body or Walls of such Dwelling house or other Building is Sufficient to bear a roof of Tile or slate they shall Together With the said Sheriff sign an Inquisition to that purpose Which the said Sheriff shall Deliver to the Mayor of the said City for the time being and Which Inquisition shall be and is hereby declared to be Good Evidence of such Sufficiency on any trial upon such prosecution as aforesaid.

AND BE IT FARTHER Enacted by the authority aforesaid, that every proprietor or proprietors of such dwelling house or other Building so inspected as aforesaid shall pay and Satisfy unto the Sheriff for Summoning such jury and taking such inquest the Sum of Twenty shillings.

AND WHEREAS the Storing of pitch, Tar, Turpentine or Shingles in any houses, Store houses, Cellars, or other places Within this city may be of very bad Consequences in Case of fire breaking out at or Near the place where any Such Commodities are stored.

AND WHEREAS the Storing of pitch, Tar, Turpentine or that from and after the first day of May Next no pitch, Tar, Turpentine or shingles shall or may be put in any place to the southward of Fresh water other than in such proper place or places to be appointed and approved of by the Mayor Aldermen and Commonalty in Common Council Convened under the penalty of Ten pounds for Every offence, or Refusal to remove the Same to be Recovered and Levied of and from any person or persons Storing or owning such Pitch, Tar, Turpentine or Shingles in manner and Form as the fines on Buildings in this act are Recoverable for the use of the Poor of the said City.

#### {CHAPTER 1161.}

[Chapter 1161. of Van Schaack, where the title only is printed. Chapter 241 (vol. 2) of Livingston & Smith, where the act is printed in full.]

An Act to impower and Enable the Mayor Recorder and Aldermen of the City of New York for the time being, or the Major part of them, to order the raising a Sum not exceeding Eighteen Hundred Pounds by a Tax on Estates Real and Personal in the Said City, for fixing of Lamps, and providing a Sufficient Number of Watchmen

{Passed, December 31, 1761.}

WHEREAS the Erecting and Lighting Lamps in proper places in each respective Ward within the City of New York to the Southward of Fresh Water and the hiring a Sufficient Number of Watchmen to Guard the said City in the Night time and to attend the said Lamps will be of Great Utility and Safety to its Inhabitants

BE IT THEREFORE ENACTED by His Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That the Mayor Recorder and Aldermen of the City of New York for the time being or the Major part of them, Whereof the mayor or Recorder to be one, shall have full power and authority and are hereby fully impowered and authorized on the Second Tuesday in January next to order the Raising a sum not exceeding Eighteen hundred Pounds by a Tax upon the Estates Real and Personal of all and every the Freeholders, Freemen, Inhabitants, Residents and Sojourners within the City of New York to the southside of Fresh water for payment of the Cost of so many Lamps as the said Mayor Aldermen and Commonality of the said City shall order to be Erected in the several Wards within the said City to the southward of Fresh-Water and for providing Oyl for the same, And for the Payment of so many Watchmen as the said Mayor Aldermen and Commonality shall think necessary for Guarding the said City AND attending the said Lamps And add the Said Sum to the sum which shall be Raised for the Minister and Poor of the said City Which Tax so to be laid shall be rated and Assessed at the same time and by the Vestrymen who shall Rate and assess the Tax for the Minister and Poor of the said City and shall be Rated together in one Assessment made of the whole The Vestrymen first taking the Oath prescribed to be taken in and by an act entitled "An act to enable the Inhabitants of the city of New York to Chuse two Vestrymen for each Respective Ward within the said city" made and passed in the Nineteenth Year of the Reign of his late Majesty King George the second and the Said Tax so to be made Shall be Collected Levied and Paid at the same time and in the same manner as the Tax for the maintenance of the Minister and Poor of the Said City hath been accustomed into the hands of the Church-Wardens of the said City for the time being who are hereby required and Directed to pay the same into the hands of the Chamberlain of the said City to be by him paid as he shall be directed by Warrant or Warrants of the said Mayor Aldermen & Commonality in Common Council convened for the uses aforesaid

AND BE IT FURTHER ENACTED by the authority aforesaid That over and above the said Sum of Eighteen hundred Pounds to be levied and Paid by Virtue of this act the sum of



three pence in the pound as a reward to the Constables for their extraordinary trouble Shall be assessed levied and Paid to the respective Constables for Collecting and paying the same and no more according to the true intent and meaning of this Act Any thing herein or in any other act or acts contained to the Contrary hereof In any wise Notwithstanding

AND BE IT FURTHER ENACTED by the authority aforesaid That if the said Mayor Recorder or Aldermen the Church-Wardens Vestrymen or Constables of the Said City of New York, WHO are hereby authorized Impowered and Required to take effectual care that this act be executed according to the true intent and meaning thereof or any one of them shall Deny Refuse or delay to Perform Execute or Comply with all or any of the Powers authorities and Duties in this act given and Required to be done and performed by them or either of them and thereof shall be lawfully Convicted in any Court of Record within this Colony He or they so Denying Refusing or Delaying to perform the Duties as aforesaid shall Suffer Such Pains and Penalties by Fine and Imprisonment as by the Discretion of the Justices of the said Court Shall be adjudged to be sued for and recovered by the Person or Persons aggrieved thereby or by any other Person or Persons who shall sue for and Prosecute the same to effect

AND to prevent any evil minded Person or Persons Destroying or Injuring the said Lamps BE IT FURTHER ENACTED by the Authority aforesaid That if any Person or Persons shall break or Wilfully Damage any of the Lamps to be Erected by Virtue of this Act he she or they So offending shall forfeit the Sum of Twenty Pounds for every offence to be levied by Warrant or Warrants under the hands and Seals of two or more of His Majesty's Justices of the Peace for the said City and County of New York by Distress and Sale of the offenders Goods on due Conviction upon the Oath of one or more Credible Witnes or Witnesses, rendering the overplus if any to the owner or Owners and for want of such Distress the offender or offenders shall be imprisoned by Warrant under the hands and Seals of the said Justices, who are hereby required to Issue the same, for the space of three Months Unless the said forfeiture be sooner paid to be applied to and for the use and maintenance of the said Lamps and paying of the said Watchmen.

AND BE IT HEREBY FURTHER ENACTED That all the AFORESAID Lamps by Virtue of this act to be Erected shall be placed in Such places and in Such manner as the aforesaid Mayor Aldermen and Commonalty shall Direct and that all such Watchmen as shall be employed to Guard the said City and attend the said Lamps shall be under the Direction and obey such orders as they from time to time shall Receive from the said Mayor Aldermen & Commonalty Any Custom Law or Usage to the Contrary hereof in any wise notwithstanding

[CHAPTER 1165.]

[Chapter 1165, of Van Schaack, and chapter 212 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act to impower and enable the Mayor Recorder and Aldermen of the City of New York for the time being or the Major part of them to order the Raising a sum not exceeding seven hundred Pounds by a Tax on Estates Real and Personal in the said City.

[Passed, December 31, 1761.]

WHEREAS the expense of providing the Barracks belonging to this City with Fire-Wood Candles Bedding and other Necessaries for accommodating His Majesty's Forces Quartered within the City of New York has proved much greater than was expected, by which means the City is become greatly in Arrear

BE IT THEREFORE ENACTED by His Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That the Mayor Recorder and Aldermen of the City of New York for the time being or the Major part of them Whereof the mayor or Recorder to be one, shall have full power and authority, and are hereby fully impowered and authorized, on the Second Tuesday in January Next, to order the Raising a sum not exceeding seven hundred Pounds by a Tax upon the Estates Real and Personal of all and every the Freeholders Freemen and Inhabitants Residents and Sojourners within the City of New York towards payment of the arrear aforesaid and add the same to the sum which shall be raised for the Minister and Poor of the said City Which Tax so to be laid shall be rated and assessed at the same time and by the Vestrymen who shall rate and assess the Tax for the Minister and Poor of the said

City and shall be Rated together in one assessment made of the whole The Vestrymen first taking the Oath Prescribed to be taken in and by an act entitled "An act to enable the inhabitants of the City of New York to Chuse two Vestrymen for each Respective Ward within the said City" made and passed in the nineteenth year of the Reign of his late Majesty King George the second and the SAID Tax so to be made shall be Collected Levied and Paid at the same time and in the same manner as the Tax for the Maintenance of the Mulster and Poor of the said City hath been accustomed and by act or acts of this Colony is or are directed and required to be Collected Levied and Paid into the hands of the Church Wardens of the said City for the time being Who shall be accountable for the same to the said Mayor or Recorder and aldermen or the major part of them, whereof the Mayor or Recorder to be one, and Pay the same by Warrant or Warrants under their hands and seals or the hands and seals of the Major part of them. Whereof the Mayor or Recorder to be one, directed to the said Church Wardens according to the purport and Tenor of Such Warrant or Warrants.

AND BE IT FURTHER ENACTED by the authority aforesaid That over and above the sum of seven hundred Pounds, to be levied and paid by Virtue of this Act, the sum of Three pence in the pound as a reward to the Constables for their extraordinary trouble shall be assessed Levied and Paid to the respective Constables for Collecting and Paying the same and no more according to the true Intent and meaning of this act any thing herein or in any other act or acts contained to the contrary hereof in any wise Notwithstanding

AND BE IT FURTHER ENACTED by the authority aforesaid That if the said Mayor, Recorder or aldermen, The Church Wardens, Vestry men, or Constables, of the said City of New York Who are hereby authorized Impowered and required to take effectual care that this act be Executed according to the true Intent and meaning thereof, or any one of them, shall deny Refuse or Delay to perform Execute and Comply with all or any of the powers authorities and Duties in this Act given and required to be done and performed by them or either of them, and THEREOF shall be lawfully Convicted in any Court of Record in this Colony He or they so Denying Refusing or Delaying to perform the Duties as aforesaid shall Suffer such Pains and Penalties by fine and Imprisonment as by the Discretion of

the Justices of the said Court shall be adjudged, to be Sued for, and Recovered by the Person or Persons aggrieved thereby or by any other Person or Persons who shall sue for and Prosecute the same to effect.

[CHAPTER 1166.]

[Chapter 1166, of Van Schaack, where the title only is printed. Chapter 243 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 1121. Expired January 1, 1772.]

An Act to amend an act Entituled an act  
for Regulating Clearing and further laying out  
publick highways throughout the City and  
County of Albany

[Passed, December 31, 1761]

WHEREAS In and by the aforesaid act passed in the Thirty Third Year of the Reign of his late Majesty King George the Second it is provided and Enacted in the seventh Clause or section, that if any Person or Persons Neglect or refuse the services therein required shall for every day they so Neglect or refuse forfeit the sum of three shillings, But it being found by Experience that the said sum is Not sufficient to Compel persons to work on the said Roads or highways.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly, and it is hereby Enacted by the authority of the same, That instead of the said Penalty of three shillings every person or persons who shall neglect or refuse to work on the said Public roads when thereunto Noticed agreeable to the said act, they Shall for each Day they so Neglect or refuse, forfeit the sum of Six Shillings to be levied as in and by the said act is required, which penalty or penalties so levied shall be employed in the repairing of the said public Highways or Roads where such penalty or penalties are Leryed, and to no other use Whatsoever any thing Contained in this or any other act or acts to the Contrary thereof Notwithstanding

[CHAPTER 1167.]

[Chapter 1167, of Van Schaack, and chapter 244 (vol. 2) of Livingston & Smith, where the title only is printed. See chapter 977.]

An Act to enable the Supervisors of King's County to raise the Sum of Four Hundred and Thirty One Pounds due from the said County on the Act therein mentioned.

[Passed, December 31, 1761.]

WHEREAS the Supervisors of King's County aforesaid not having the Act hereafter mentioned transmitted to them in due time did not raise the Sum of Four Hundred and Thirty One Pounds due from the said County, by Virtue of an Act entitled an Act for paying and subsisting Eight compleat Companies of One Hundred Effective Men each Officers included to assist in Conjunction with the Neighbouring Colonies in erecting one or more Forts nigh Crown Point within his Majesty's Dominions, for raising the Sum of Ten Thousand Pounds for and towards the said Service and for making Current Bills of Credit to the Amount thereof, and other the Purposes therein mentioned passed the Third Day of May in the Year one Thousand Seven Hundred and Fifty Five

BE IT THEREFORE ENACTED by His Honour the Lieutenant Governor, the Council and the General Assembly AND it is hereby enacted by the Authority of the same, that it shall and may be lawful to and for the said Supervisors of the said County of King's County for the Time being or the Major Part of them and they are hereby directed and required on the first Day of June next when they shall meet, to raise the Taxes of the said County, to add the said Sum of Four Hundred and Thirty One Pounds to the Taxes then to be raised and order the same to be collected and paid in the same manner and Form and under the same Regulations as are contained in the before mentioned Act.

[CHAPTER 1168.]

[Chapter 1168, of Van Schaack, where the title only is printed Chapter 245 (vol. 2) of Livingston & Smith, where the act is printed in full. Expired January 11, 1763. Provided for by chapter 1190.]

An Act to prevent Transient Persons from Selling Goods at Vendue in Richmond County

[Passed, December 31, 1761.]

WHEREAS great inconveniences have arisen to the Inhabitants of Richmond County by Transient Persons coming into it



and exposing Goods and Merchandizes to sale at Vendue to the great detriment of its Inhabitants: For prevention whereof

BE IT ENACTED by his Honour the Lieutenant Governor, the Council and the General Assembly and it is hereby enacted by the authority of the same That if any Person or Persons whatsoever After the publication of this act shall expose any Goods or Merchandize to Sale at Vendue Auction or Outcry (Goods belonging to the Crown, Lands, Vessels, Goods and effects of deceased Persons, Goods taken in Execution, House hold goods, Utensils for Husbandry, Horses, Cattle, Hogs, and Sheep, only excepted) shall for every such offence forfeit the sum of Five pounds to be levied by a Warrant under the hand and Seal of any one of his Majesty's Justices of the Peace for the said County, by Distress and Sale of the offenders Goods upon due Conviction upon oath or upon the View of any one of such Justices of the Peace Rendering the Overplus if any be to the Owner or Owners and for want of Such Distress the offender shall be Imprisoned by Warrant from the said Justice Who is hereby Impowered and Required to Issue such Warrant, Until payment as aforesaid Which said Forfeiture or Forfeitures shall be paid into the hands of the County Treasurer for the use of the Poor of the said Colony

This act to continue in Force from the Publication hereof to the first Day of January one thousand seven hundred and sixty three

#### [CHAPTER 1169.]

[Chapter 1169. of Van Schaack, and chapter 246 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act to Raise, Levy, and Collect the sum of Eighty seven pounds Thirteen shillings In the City and County of New York for services performed by the Coroner of the said City and County.

[Passed, December 31, 1761.]

WHEREAS John Burnet the present Coroner of the City and County of New York hath taken (during the space of near four Years) Twenty seven Inquests on the dead Bodies of Poor Persons And Advanced Monies for the said services for which he hath Received No Allowance or Reward And it being Conceived Just and Reasonable that he should be allowed and paid for his Trouble and Expence therein the sum of Eighty seven pounds

Thirteen shillings Including the sum of Eight pounds to be by him paid to the surgeons Employed by him in Opening Viewing and Examining the Bodies of Hans Jansen Ramburgh, Lawrence Browne, Mary Allen And Hannah Conner at the Request of the Jurors on the Views of the said Bodies

I BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council, and the General Assembly and it is hereby Enacted by the Authority of the same that there be Raised, Levied, and Collected Upon the Freeholders Inhabitants and Residents of the City and County of New York the sum of Eighty seven pounds Thirteen shillings to be paid Unto the said John Burnet his Executors or Administrators for the services aforesaid. And that the said sum of Eighty seven pounds Thirteen shillings together with three pence in the pound for Collecting the same be Raised, Levied and Collected in the same Manner and by the same persons and together with the Next Tax that shall be Raised Levied and Collected for the Maintenance of the Minister and Poor of the City and County of New York and shall together with the same Minister and poor Tax be paid, by the severall Constables that shall Collect the same (they Retaining in their hands the sum of Three pence in the pound) into the hands of the said Church Wardens of the said City of New York for the time being

II AND BE IT FURTHER ENACTED by the Authority aforesaid that the Church Wardens of the City of New York for the time being shall out of the Monies to be Raised Collected and paid into their hands by Virtue of this act pay Unto the said John Burnet his Executors Administrators or assigns On or before the first day of May Next Ensueing the said sum of Eighty seven pounds Thirteen shillings And the Receipt of the said John Burnet his Executors administrators or assigns shall be a sufficient acquittance or Discharge for the same to the said Church Wardens

III AND BE IT FURTHER ENACTED by the same authority that if the Justices of the peace, Vestrymen or Constables of the city of New York aforesaid Who are hereby Required, Impowered and authorized to take Effectual Care that this act be duly Executed according to the true Intent and meaning thereof or if any of them shall Deny, Refuse or Delay, to perform and Execute all or any of the Powers, Duties and Authorities in this act Required to be done and performed by them Or any of them and shall thereof be Lawfully Convicted

In any Court of Record in this Colony, he or they Denying, Refusing or Delaying to perform the Duties aforesaid shall suffer such pains and penalties by fine Or Imprisonment as by the Discretion of the said Court shall be adjudged, to be sued for, and Recovered by the person or persons Aggrieved thereby

## [CHAPTER 1170.]

[Chapter 1170, of Van Schaack, and chapter 217 (vol. 2) of Livingston & Smith, where the act is printed in full.]

An Act for Naturalizing Christopher Tobias, Andries Zeegaerd, Jacob Lowen, Jury Lowen, George Snyder, Johannes Graeff, Johannes Klyne, George Cramer, Christian Franklin Jacob Fretz, Ernst Fretz, David Ebny, Joachin George Ebny, Heinrich Kerger, Jacob Whiteman, Casparus Kock, Rudolph Kock, Albertus Kock, Andries Miemer and George Wachtel.

[Passed, December 31, 1761.]

WHEREAS the above mentioned persons have by their Several petitions presented to the General Assembly, desired that they may be Naturalized and become his Majestys Liege Subjects

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governour the council & the General Assembly and it is hereby Enacted by the authority of the same; That the above mentioned several persons and each and Every of them shall be and hereby are declared to be Naturalized, to all Intents Constructions and purposes Whatsoever, and from hence forth and at all times hereafter shall be intitled to have and Enjoy all the Rights and Liberties, priviledges and advantages, which his Majesty's Natural Born Subjects in this Colony have and Enjoy or ought to have and Enjoy as fully to all intents and purposes Whatsoever, as if all and every of them had been born within this Colony.

PROVIDED ALWAYS and it is hereby further enacted by the authority of the same, that all and every and each of the above mentioned persons shall take the oaths appointed by Law instead of the oaths of allegiance and supremacy, Subscribe the Test, and make, repeat Swear to and Subscribe the abjuration oath in any of his Majesty's Courts of Record within this

Colony, which oaths the said Courts are hereby required, upon application to them made to administer, take Subscriptions and Cause the Names of the persons so Swearing and Subscribing to be Entered upon Record in the Said Courts, and the said before mentioned Persons are each of them hereby required to pay the Several Sums herein after mentioned, That is to Say, To the Speaker of the General assembly the Sum of Ten shillings, To the Judge of Such court the sum of Six shillings, and to the Clerk of such court the sum of Three shillings

AND BE IT FURTHER ENACTED by the authority aforesaid, that If the said persons, or any of them having so Sworn and Subscribed as aforesaid, shall demand a Certificate of his or their being Entered upon Record in the manner herein before directed, the Court or Courts in which such oaths and Subscriptions shall be made are hereby directed and Required to Grant Such under the hand of the Judge and Seal of the said Court or Courts in which such oaths and Subscriptions as aforesaid shall be made Countersigned by the Clerk of the said Court, For which Certificate each of them shall pay, over and above the Sums before mentioned the Sum of Six shillings one half to the Judge of such court or courts, and the other half to the Clerk thereof; Which certificate or certificates shall at all times be to the person or persons therein named a Sufficient proof of his or their being Naturalized by Virtue of this act, in as full and Effectual a manner as if the Record Aforesaid was actually produced by the person or persons so named in such Certificate

PROVIDED ALSO AND BE IT ENACTED by the authority aforesaid, that Such of the persons hereby Naturalized as shall not take the oaths, Test, and abjuration in manner herein before Directed within Twelve months next after the Publication hereof, Shall have no manner of benefit by this act, any thing herein contained to the Contrary Notwithstanding.

AND BE IT ENACTED by the authority aforesaid That the public printer of this Colony shall and hereby is directed and required to print this act, as if the same were a public act of this Colony.

## [CHAPTER 1171.]

[Chapter 1171, of Van Schaack, and chapter 249 (vol 2) of Livingston & Smith, where the act is printed in full. Explained by chapter 1174. Continued and amended by chapter 1300.]

An Act for the more Effectual Collecting of his majesty's Quit Rents in the Colony of New York and for Partition of Lands in order thereto

(Passed, January 8, 1762.)

WHEREAS there are many Grants of Large Tracts of Land in this Colony (some of which do not mention the Number of acres they Contain) which since the Granting thereof have been subdivided into many shares and one Entire rent reserved for the Whole: so that his Majesty's Receiver General Cannot Know what Rent to Demand or receive from the Respective owners: and other Tracts of Land Within this Colony are held by persons Residing out of the Colony, and no Settlements being made upon the Land, no distress Can be made for the Quit Rent Reserved and in arrear, Which renders it Impossible for his majestys Receiver General to Collect and receive his majesty's Quit Rents in this Colony Regularly and Duly as they ought to be For remedy thereof for the future.

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General assembly, and it is hereby Enacted by the authority of the same That (for the more regular and orderly Gathering the Quit Rents due and to Become due from the several Towns, within this colony, by Virtue of their Respective Town Grants or patents) the Several Freeholders in each of the said Towns shall yearly & Every year at their usual Town Meetings have full power and authority, by the Majority of Voices of the said Freeholders then Met and assembled to choose and appoint proper officers, and Make such prudential and Reasonable orders and regulations for assessing levying and Collecting of and from each Freeholder his or her respective Quota of the annual Quit rent reserved and payable to his Majesty in the General Grant or patent for the said Town, as shall be Voted & agreed Reasonable & Necessary to be appointed, made and Done in and about the same; all Which appointments, Regulations and orders so made shall be Binding upon all the Freeholders of such Town, any



Law usage or Custom to the contrary thereof in any Wise Notwithstanding

AND for the more Regular and orderly Collecting Gathering and paying the Quit Rents due and to become Due from all other Grants and patents for Lands Within this Colony. BE IT ALSO ENACTED by the same authority that it shall and may be lawful for all and every the respective Owners and proprietors of such Grants and patents for Land or such of them as shall think fit to assemble and Meet together on the First Tuesday in May yearly and Every year at the usual or most Public Place of meeting Within their respective Grants or patents or at such other Time and place as the major part of them so met shall agree upon, and then and there by the Majority of Voices of the said Freeholders and proprietors there met either by themselves or their Proxies to elect and Choose out of the said Freeholders two assessors and one Collector, Which assessors so by them Chosen shall within Thirty Days thereafter rate and assess the Several owners and Freeholders of the said Grant or patent respectively, according to the part share and proportion of Land each owner or Freeholder shall have hold possess or Enjoy Within Such Respective Grant or Patent so that the Whole shall make up an amount to the Whole Quit Rent which will be due to his majesty from or upon such Grant or Patent to the Twenty fifth day of March then next following together With one shilling in Every pound for the reward of the Collector for Collecting and paying the same to his majesty's receiver General or his deputy; Which said assessors before they begin such assessment shall take an oath before some one Justice of the peace within this Colony who is hereby authorized and required to administer the Same Well truly impartially and in Due proportion according to the best of their understanding, to assess and rate the several owners and Freeholders of such Grant or patent for Which they are Chosen assessors, and that the said assessors shall Within Ten Days after they shall have made the said assessment Deliver unto the person so to be Chosen Collector such assessment so by them made under their hands and seals, Which said Collector shall forthwith collect the several sums in such assessment, so that he pay the same (his own allowance for Collecting excepted) to the Receiver General or his Deputy on or before the first day of May then next following taking a receipt for

the Same. And if any of the said owners, Proprietors or Freeholders of such Grant or patent shall refuse Neglect or delay to pay his or her share or proportion of the said rate or Assessment, then it shall and May be Lawful for such Collector to Collect and Levy the same by distress and sale of the goods and Chattles of the Defaulter or Defaulters where the same may be had or found, with the Costs and Charges thereof in the same manner as the Collectors of the public Taxes in this Colony are impowered to do, or to prosecute for the same before any one Justice of the peace Within this Colony, Who is hereby authorized and impowered to hear and Determine the same. And in Case such Collector shall not find Goods and chattles of the Defaulters Whereon to make distress or recover such rate or assessment in Manner aforesaid, then it shall & may be Lawful for such Collector to Collect and levy the share and proportion of the rate aforesaid of such Defaulter or defaulters of and from all and Every of the rest of the owners, Freeholders or proprietors aforesaid, in Proportion to their Several assessments, Giving unto the person or Persons from Whom he shall so Collect and receive such Share and proportion, a receipt for the same, and in Case such defaulter or Defaulters shall not repay his Share or Proportion of the said rate or assessment so levied, collected or paid for him unto the person or persons from whom the same was so levied or Collected together With lawful Interest for the same. And in Case any person or persons holding part of any Lands Granted by any Letters patent already hath paid or hereafter shall pay the Quit rent formerly Due or that shall become due to his Majesty from others holding Lands under the same Letters patent; and the Person or persons for Whom such Quit rent hath been or shall be so paid, shall not repay the Same With Lawful Interest to the person or persons having so paid the said Quit Rent, THAT then and in either of the said Cases it shall and may be Lawful for such person or persons on Which such Share or proportion of such rate or assessment had been so levied or Collected or that hath or Shall so pay Quit Rent for another person holding Lands in the same Letters patent, to apply Either in person or by attorney to Some one of the Justices of the Supream Court of Judicature of this Colony for Relief in the Premises; Which said Justices of the said Supreme Court and each and every of them are hereby fully authorized and required (as Justices OF his Majesty's Court of Exchequer for this Colony) to Cause a Public

advertisement to be published in One of the public News papers printed in the City of New York, Notifying the person or Persons Complained of to appear before him on such a day as he shall therein appoint, not less than Thirty days, nor more than forty days thereafter to shew Cause if any he she or they hath or have why so much of his her or their Lands for Which the Quit rent had been so levied Collected or paid as aforesaid, should not be sold to satisfy the sum so paid With Interest and Charges, and in Case such Person or persons shall not appear on the day so appointed either in person or by attorney; or if he she or they shall appear on the said day, the said Justice to Whom such application was made shall hear the party or parties so appearing in person or by attorneys in a summary Way, and Shall then Certify under his hand the Sum due to the party who had so applied for relief, for Principal Interest and Charges together With the Charges of the process to Issue thereupon, and upon such Certificate process shall Issue under his seal Directed to the sheriff of the County where the Lands lie, For Which the person so Complaining had paid Quit Rent Commanding such Sheriff, in his Majesty's Name within Sixty days after the Teste of the said process (which shall always be in the Name of such Judge and on the Day of the Date of the Judges Certificate aforesaid) to sell and dispose of at Public Vendue or out-cry to the highest or Best Bidder, so much of such persons Lands Contained Within such Letters patent, for Which the said person or persons who had so applied had paid Quit Rent, as will pay the sum so certified to be due for principal Interest and charges and the further incidental Charges thereon; and to pay such monies into the hands of the said Person or persons who had so applied, Within twenty Days after such Sale, And every such Sheriff to whom such process is directed is hereby fully impowered and required Within Six days after the receipt of Such process to Cause advertisements to be affixed on the Court House and three or more of the most Usual Public places in the County Where the Land lies, that on such a day (which shall not exceed Fifty or be less than Forty Days after the Date of such advertisement) so much of Such Lands will be sold at public Vendue or Out Cry, to the best Bidder, as Will pay the sum mentioned in the said process, and the Charges of Advertisement, Sale, Survey and Conveyance, and other incidental Charges; and that upon the day Appointed for such Sale as is before directed, the same Sale shall

be made at the Court house of the County in which the Lands lie Between the hours of Nine and Twelve in the forenoon, and the respective sheriffs of the Counties aforesaid are hereby fully impowered and authorized to Sell and dispose of such Land at public Vendue or Out Cry to the best Bidder, and at the Time of such Sale such person or persons as Will accept of the least Quantity of Land to pay the Sum mentioned in the said Process and all Charges which such sheriffs shall then Make a true account of, shall be deemed the best bidder, and that upon such sale such Sheriff shall Cause such Land so Sold to be Surveyed and shall then make sign, seal and Deliver Deeds and Conveyances thereof (upon receipt of the Purchase money) to the Purchaser or Purchasers thereof, Which Deeds and Conveyances so made and Executed shall be and are by Virtue of this act, deemed and Estimated a Good Valid and Sufficient Title both in Law and Equity to all intents and Purposes Whatsoever, And the purchaser and purchasers of Lands by Virtue of this act, and their Respective HEIRS and assigns are and shall be hereby severally Vested in and Entitled unto an Estate in Fee Simple of and in all and every or any of the said Lands Tenements or Hereditaments so purchased by them by Virtue of this act, PROVIDED ALWAYS that the Lands so to be sold by Virtue of and in pursuance of this act, shall be Surveyed and laid out in one intire Piece, and at one side or End of the Tract out of Which the same is Sold, and shall always be of the unimproved or uncultivated Lands if so much in one intire piece and unimproved or uncultivated Land is Contained in the same, and shall not be such part thereof, as at or Before the time of the said Sale shall be Claimed by any Person or Persons appearing before the said Sheriff and Declaring upon oath (which oath the said Sheriff is hereby authorized to administer) that he or they Verily believe the Same Land is included Within other Letters patent, prior to those out of which the said Land is proposed to be sold, and that he or they claim and Verily believe hath or have a Good Title to the Same by virtue of such other Letters patent; AND PROVIDED ALSO that no less Quantity of Land shall be Sold at any Time by Virtue of this act than One hundred acres; and that whenever any person Will accept of less than that Quantity of Land to pay the sum mentioned in the said process, and all Charges as aforesaid the Sheriff shall put up to sale one hundred acres of such Land at public Vendue or out Cry and the person bidding or offering

the most money for the same shall be Deemed the best Bidder, and the said sheriff shall make, Sign, Seal and deliver Deeds and Conveyances thereof to the Purchaser or Purchasers in Manner herein before directed;

AND BE IT FURTHER ENACTED In Case any Tenant shall pay any Quit Rents due from his Landlord, it shall and may be Lawful for him to deduct the Same out of his rent or to Stop the payment of the rent till he shall be Reimbursed, unless by agreement with the Landlord the Tenant is to pay the Quit Rents

AND BE IT FURTHER ENACTED by the authority aforesaid That Whenever there shall be three or more years Quit Rent due and in arrear to his Majesty, for any Grant or Patent for Lands Within this Colony or for any of the Lands in such Patent contained, it shall and may be Lawful for his Majesty's Receiver General of this Colony for the Time being to Give Notice in one or more of the public News papers, printed and published in the City of New York (which Public Notice shall be so Continued for three months at the Least) that if the owners or Proprietors of such Lands do Not within Twelve Months after the date of such public Notice pay the arrears of Quit rent, due to his Majesty for such Lands With the Charge of such Notice or Notices being Given to the said Receiver General, That so much of the said Lands will be Sold at public Vendue or Out Cry as will pay the Same with the Charges of such Notices and Sale, In which notice so to be Given in one or more of the public News papers as aforesaid, it shall be expressed to whom the Grants or patents were Originally made, the date of the Grants and the sum due thereby to the Last day of payment preceding such Notice so far as the same Does appear from the accounts of his majesty's Quit Rents in the Custody of the said Receiver General and upon failure of the payment of the said Quit Rent and Charges of such Notices as aforesaid it shall and may be Lawful for the said Receiver General by himself or his Deputy or by his Majesty's Attorney General for this Colony to apply to some one of the Justices of the Supreme Court of Judicature OF this Colony Which said Justices and each and Every of them are hereby fully authorized and required (as Justices of his majesty's Court of Exchequer for this Colony) to Cause an advertisement to be published to hear the parties appearing in a Summary way, and to Grant a Certificate of the sum due to his majesty for Quit Rent and the Charges in the



same manner as is herein before directed; and thereupon the like process shall Issue to the Sheriff of the County where the Lands lie, Which are so in arrear to his Majesty for Quit Rent, Which said Sheriff shall thereupon proceed to the sale of the said Lands in the same manner as is herein before Particularly directed in the Case of one private person having paid Quit-Rent for another person holding Lands in the same Letters patent

AND BE IT FURTHER ENACTED by the authority aforesaid, That the respective Sheriffs after the Delivery of such Deeds and Conveyances as aforesaid, and Within Twenty days after such Sale, shall pay to his Majesty's Receiver General for the time being or his Deputy, the Quit-Rents Due and owing to his majesty for Such Lands, With the Charges so Certified by the said Judge; or if sold for Repaying any private Person the monies for which he had been Distrained, or had paid Quit Rent as aforesaid, shall pay the same with Lawful Interest and Charges, to such person accordingly, and that it shall and may be lawful for such sheriff to retain in his hands for his own Trouble and the other charges attending such Sale, so much as the Justices of the County where the Lands lie, in their General Sessions of the peace shall allow and Certify to be due for the same, The said Sheriff returning the Surplus of the monies, if any there be, to the person or persons to whom the said Lands did belong before such Sale; or if he she or they cannot be found then to the Treasurer of this Colony, who is hereby required to Receive and apply the same from Time to Time in the payment of the Quit-Rent that shall become due thereafter from such person or persons. And the said Sheriff shall at the same time Deliver to the Treasurer a full and just account of the money arisen from such Sale, and of the application of the Same. PROVIDED ALWAYS that the said sheriff before he makes such Sale as aforesaid shall take an oath to be administered to him in the words following to wit; "YOU shall, well truly Honestly and faithfully discharge the Trust reposed in you, by an act of the Governor or Council and General assembly of the Colony of New York, Entitled an act for the more Effectual Collecting of his Majestys Quit Rents in the Colony of New York and for partition of Lands in order thereto, according to the Best of Your Skill and understanding; SO HELP YOU GOD." Which oath any Justice of the peace is hereby authorized and required to ad-

minister, and to Give a Certificate thereof to the said Sheriff, who shall file the same, with the Clerk of the peace of the County in which the Lands lie

AND WHEREAS many Tracts of Land in this Colony have been granted to divers persons as Joint Tenants and Tenants in Common, and some of those Tracts or parcels thereof have been divided into Lots, and tho' no Legal partition, was made, Yet the estates of the Proprietors, thro' the Infancy of the Country, have been deemed to be Severed, and the Lands so Divided have been held as such; The Repartition whereof is either Impracticable, or Would introduce the Greatest Confusion, Stir up innumerable Law suits, Disturb ancient possessions and utterly ruin or impoverish many of his Majesty's Subjects, AND WHEREAS Sundry other Tracts so granted Cannot at this day be Divided, according to the Law as it now is, by reason of the absence Infancy or Coverture of some of the proprietors, and the Great Number of shares, and many Lands therefore lay waste and unimproved to the great prejudice of the owners and the public Detriment.

BE IT THEREFORE ENACTED by the authority aforesaid that every former Division of Lands by survey Ballot or otherwise of which there is a map note or memorandum in writing specifying to whom the Several divided parts belong under the hands of the proprietors assenting to the Same, or under the hand of their agent or surveyor shall for Ever hereafter be deemed a partition thereof between such proprietors so Consenting as Effectually to all intents and Purposes, as if the same had been then made by Deed or otherwise according to the due Course of Law, PROVIDED ALWAYS that such map note or memorandum and Consent be duly proved before one of the Judges of the Supreme Court in the manner Deeds are Now used to be proved in this Colony, and a true copy of such Map be filed and such Note or memorandum recorded in the secretaries office or in the clerks office of that County where the Greatest part of such Lands lay at any Time during the Continuance of this act

BE IT ALSO ENACTED by the same authority, that any one or more of the proprietors of Tracts or parcels of Tracts still undivided inclined to have partition thereof may Subscribe a Writing & publish the same in any two of the public News papers of this Colony twelve weeks Successively directed in General to all Persons interested in Such tract or parcel of Land specifying

the Bounds thereof and giving Notice that three Commissioners not interested in such Tract or parcel, naming them and their places of abode are appointed to make such Partition, and that they will meet at a Certain day and place to be also mentioned and to be within ten Days after the said Twelve Weeks are Expired to proceed to the partition of the said Lands and requiring all persons interested therein to attend then and there for that purpose either by themselves or their attorneys, and if no objection to any of the said Commissioners be offered in writing to any one of the Judges of the supreme Court nor any Notice thereof in writing be served upon the Subscriber or Subscribers to the notice so Directed to be published or any one of them, and within Nine weeks after the first publication thereof, then the Commissioners so Named shall Perform the Duty required of them by this act, But if such objection and notice be made and given, The Judge to whom it was offered shall appoint the Parties a day and place within ten days after nine weeks from the first Publication of the Notice are expired, and then and there hear and determine such objections and appoint other fit and uninterested persons in the Room of those he may think proper to remove as unfit, and such persons so appointed shall thenceforth be the Commissioners for executing the powers given to Commissioners by Virtue of this act, and Shall before they proceed to execute their offices be severally sworn Before one of the Judges of the said Court, or before any Judge of any Inferiour Court of Common pleas, to perform the Trust and services required of a Commissioner by this act fairly and impartially according to the directions thereof, and the best of his Skill and Judgment; and a Certificate of their being so sworn from the person administering the oath shall be filed with the rest of the proceedings as hereafter Directed.

AND BE IT FURTHER ENACTED by the same authority, that the same Commissioners so to be appointed shall afterwards publish a notice or advertisement in two of the public News papers of this Colony signifying their said appointment, and that at a Certain day and place to be mentioned they will meet to proceed on the said partition, and that they desire all persons concerned to attend accordingly which said Notice shall be so published six weeks Successively, before the day of meeting, and when the said Commissioners have made Discovery who and how many the patentees of the Lands to be divided were, they shall as soon as Conveniently

may be Cause a survey to be made of the Lands to be divided in their presence, & having Set apart such portion thereof, as they Conceive to be Sufficient to defray the expence of the partition, the residue shall be Divided into as many allotments as there were patentees each allotment to consist of one or more Lotts, having due regard in the partition to the Scituation, Quantity, and Quality thereof, so that the patentees and those holding their several rights may have equal Shares in Value as nearly as may be; PROVIDED ALWAYS that in such Case where the patentees of any Tract of Land have added to the Number of the Original owners thereof by Conveying such part or parts of their original undivided shares to any other person or persons, whereby the said person or persons, and the said patentees became Severally owners of equal undivided shares of such Tract of Land, that then and in such Case the Number of allotments shall be equal to the Number of such patentees, and other owners so Vested with equal shares with such patentees as aforesaid

AND WHEREAS Certain parts of some patented Tracts of Land within this Colony have been formerly Divided by act or acts of the Governour Council and General assembly of this Colony in which divisions the allotments were made according to the Number of owners of and the rights they respectively held in such Tract or Tracts at the time or times of such division, therefore in order to preserve a uniformity in the division of the whole of such Tract or Tracts; BE IT FURTHER ENACTED by the authority aforesaid that in any future division of such Tract or Tracts instead of laying out the residue of the Lands contained in the same respectively into as many Lotts as there were patentees of the same respectively, the same method as to the Number of Lotts, shall in dividing the residue of the said Tract or Tracts respectively be pursued as was used in such former Division or divisions; and in Case the Bounds or extent of any Lands hereafter to be divided by Virtue of this act shall appear to be so much Controverted that the true Quantity of the whole Land to be divided cannot be ascertained clear of dispute, that then and in such Case the said Commissioners shall Cause the undisputed Lands to be surveyed and run out distinctly & Separately from such part as shall be in dispute and shall make distinct and Separate allotments and Divisions of the said undisputed and disputed Lands in such manner as that a proportionate

share of each as nearly as may be as well in Quantity as in Quality may upon the Bollotting hereafter mentioned be Drawn to the Name of each patentee

AND INASMUCH as the owners and proprietors of many tracts of Lands within this Colony parts whereof remain still in Common and undivided may have Entered into Covenants each with THE other for the partition of the same or of parts thereof by enabling the respective owners & proprietors to locate Survey and take up in Severalty upon one or more divisions Certain Quantities of Land under the Restrictions in such Covenants Contained; BE IT THEREFORE ENACTED by the authority aforesaid that in Such Case all such Locations of Land (whether the same be made upon such first or other Division) the surveys whereof taken together do not Contain or specify any Greater Quantity or Quantities of Land than was or were allowed by such Covenants to be taken up by the parties to such covenants and those Claiming under them respectively shall be as fully and Compleatly Vested in such owners & proprietors by or for whom the same respectively were laid out Surveyed and taken up and their respective heirs & assigns as if the Same had been Vested in them respectively by partition in the due and ordinary Course of Law, any thing herein Contained to the Contrary thereof in any wise notwithstanding; and that the Surplus of all such Located Lands over and above the Quantity or Quantities mentioned in such Covenants shall Notwithstanding such Location be Subject together with the residue of the Land remaining to be divided in such Tract or Tracts to a partition in the manner directed by this act; PROVIDED ALWAYS that in Case any one or more Townships have been by the Common Consent of the owners & proprietors of any large Tract or Tracts remaining in part to be divided laid out within the same upon parts of the Original undivided rights in such Tract or Tracts the extent or bounds of which Township or Townships do include more Land than could Consistent with such Covenant or Covenants fall to the share of such Township or Townships according to the proportion allowed by such Covenant or Covenants to be Laid out to each original Right on the several divisions mentioned in such Covenant or Covenants, That then and in such Case such Township or Townships, and the persons claiming Town rights in the same or any or either of them shall not be admitted to any further dividend in the Lands remaining to be divided in



such Tract or Tracts until as much Land has been located to the several Original undivided rights or shares in such Tract or Tracts, as shall be proportionate to the Lands laid out in such Township or Townships and in order to make up to each of the said several Original Rights as much Land in Severalty as together with the Lands already laid out to the respective Original owners and proprietors thereof in Virtue of such Covenant or Covenants as aforesaid and Confirmed in manner aforesaid shall be proportionate to the Quantity of Land included within such Township or Townships such & so many allotments of Land from and out of the Lands remaining to be divided shall be made & Ballotted for on the said Original rights to be Noted and distinguished on the Map Survey or draft of such Tract or Tracts by the Name of Equivalent Lotts as shall together with such Lands already laid out on such Original rights, and confirmed as aforesaid be proportionate both in Quantity and Quality to the Lands Contained in such Township or Townships, and all and singular the lotts pieces and parcels of Land with all and Singular the Buildings and Improvements thereon Contained within such Township or Townships are hereby as fully and absolutely Confirmed to the respective owners and Proprietors thereof as if they were Vested with the same by partition in the due & ordinary course of the Law, any thing herein Contained to the contrary thereof in any wise Notwithstanding. And that the residue of the Lands remaining to be divided after such allotment last mentioned shall be divided in the manner herein directed Concerning other undivided Tracts of Land within this Colony, such Township or Townships and the persons Claiming Town-rights in the same being left to take their proportion of such residue in each respective allotment thereof according to their part or parts of the original Right to which such allotments shall upon balloting respectively fall; And as to such Tracts of Land parts whereof have been already laid out and divided if any allotments shall appear to lie within the disputed parts of the Tracts to which they respectively belong, and no former recompence shall appear to have been made by former locations and allotments of Land in other parts of such Tracts, the Commissioners before the allotment and Ballotting of the residue of such Tracts shall in the undisputed part of the same lay out and allot to the original rights, to which such disputed allotments respectively belong, such New allotments of Land re-

spectively as shall be equal in quantity and quality to such respective former allotments of disputed Lands, and in such Case as well as in Case of a recompence by former allotments, such allotments of disputed Lands shall remain and Continue to the Original Right to which they were originally laid out and allotted, and as an Equivalent thereto the Commissioners shall before allotment and balloting of the residue lay out and allot to such original rights respectively to which no disputed Lands were allotted in such former division, such New allotments of disputed Lands as shall severally be equal in Quantity & Quality to the several Disputed allotments in such former division or Divisions

AND BE IT FURTHER ENACTED by the authority aforesaid that of all Surveys and allotments made by Virtue of this act, two true Field books and maps Specifying the Bounds of every Lott shall be made and the several Lots laid Down and Numbered on the said map and then signed by the said Commissioners & their surveyor one of which said field books and map shall be filed in the office of the Clerk of the County where the greatest part of the Lands lay and the other in the secretarys office at the City of New York, which when Done the said Commissioners shall Cause an advertisement to be published for six weeks successively in one of the said News papers, Notifying the filing of the field books and map in the offices & appointing a particular time and place in the City of New York on a day within twenty days after the Expiration of the said six Weeks and requiring all persons interested then and there to attend to see the several allotments ballotted for, and that the same may be Conducted with the strictest Equity and in the most judicious manner, one or more of the Judges of the Supreme Court or one or more of his Majestys Council not interested in the Division upon the request of the said Commissioners in writing under their hands served six Days before the time of meeting shall be present to oversee the balloting so to be made, at Which Day and place the said Commissioners having then made as many Tickets as there are allotments with the Number of each allotment on every Ticket, and as many Tickets as there are patentees with the Name of each patentee on every Ticket; The Tickets of Names shall be put into a BOX and the Numbered Tickets into another Box, and such other person or persons as the Commissioners shall then appoint shall immediately proceed to Draw a Ticket of the names and then

a Ticket of the Numbers and so proceed till all the Tickets are Drawn, and the allotment on the Map bearing the Number of the Ticket drawn next after drawing the Ticket with the Name shall be the separate and divided share of that patentee in the Lands so to be divided, and of all persons holding under him of which ballotting, and all the proceedings in such partition the said Commissioners shall make a full and fair Entry and minute in a book, one Copy whereof Certified under their hands or the hands of the majority of them and under the hand of the Judge or Councillor present shall be filed in the said Secretaries office, and another Certified in like manner in the Clerks office of that County where the Greatest part of the Lands lay, which same books or an Exemplification under the great Seal of the Colony shall be good Evidence of such partition, and which partition shall be as Valid & Effectual in the Law to divide and separate the said Lands as if the same had been made between the patentees on writts of partition according to the Course of the Common Law.

AND BE IT ALSO ENACTED that the said Commissioners or any two of them shall within one year next after the Drawing or ballotting the Lots aforesaid proceed to sell that part of the Tract which was set apart to Defray the expence of the partition at public Vendue to the highest bidder where of six weeks public Notice shall be previously Given in one of the said News papers, and their Deed to the purchaser shall pass as good a title to such Bidder, for the Separate Enjoyment of the same, as if all the patentees or proprietors of the said Land had made and executed the same in due form of Law; ALWAYS PROVIDED that no Commissioner or Commissioners or any other person in Trust for him or them shall become purchasers of the Land so to be sold or any part thereof; And of the whole charge attending such partition the said Commissioners shall keep and state a particular account & lay the same before one or more of the Judges of the Supreme Court who are hereby impowered and required to appoint some proper person or persons to audit the same after fourteen days notice in Writing given by the said Commissioners to any three of the proprietors of the Time and place of auditing the same account, that they may be heard in objecting to the same, and out of the monies arisen by such Sale the said Commissioners may detain so much as the said Judges or the major part of them shall Certify to be Due for their Services and

same: BE IT THEREFORE ENACTED by the authority aforesaid that in such Case on the partition of remaining parts of patents so in part formerly Divided the person or persons to whose share such parcels of improved Lands shall fall upon a partition of such remaining undivided part or parts of a Tract shall before he or they be admitted to the possession of the same pay to the respective possessor or possessors thereof the value of the Improvements made thereon, and in order to Settle and ascertain the Value of such Improvements the said Commissioners are hereby fully authorized impowered and Directed at the request of the party or parties to whom such parcel or parcels of improved Lands shall upon such Partition as aforesaid appertain Issue their precept to the Sheriff of the County in which the Lands lie, Commanding him to Summon twelve freeholders, having the proper and legal Qualifications of Jurors to attend the said Commissioners on the premises at a day to be appointed in the said precept not exceeding thirty days after the date thereof to assess the Value of Such Improvements, at which Day and place the said Commissioners shall swear the said freeholders well and truly to enquire into and assess the Value of the said Improvements, and then shall proceed with their assistance in a Summary manner to enquire into and assess the same and make Duplicates of such their inquisitions and assessment under their hands and seals and the hands and seals of the said freeholders, one of which said Duplicates shall BE delivered to each of the parties, and in Case the possessor or possessors of such improved Lands shall Not within thirty days next after a Tender to him or them made of the assessed Value by the person or persons to whom the said improved Lands shall upon such partition as aforesaid belong peaceably & quietly deliver up to him or them the possession of the same, the said Commissioners or any or either of them shall upon proof of such Tender made before him or them or any or either of them by the oath of one or more Credible witnesses Issue a precept in writing under the hands and seals of them the said Commissioners or the hand and seal of any or either of them to the sheriff of the County in which such improved Lands respectively lie Commanding him to put the person or persons to whom such improved Lands shall upon such partition belong, into full and peaceable possession of the same, PROVIDED ALWAYS that the Costs Charges and expenses attending as well on such Assessment as aforesaid, as

disbursements in Completing the said partition. And the surplus if any there is shall be Divided into equal parts, according to the Number of the patentees, and be paid to them, or those holding under them, and the Receipt of the said patentees or any person holding under a patentee shall be Sufficient Discharge to the said Commissioners for the share of such patentees

AND WHEREAS Joint Tenants, Tenants in Common and Coparceners of particular Lotts or parcels of Land so Divided or of other Lands held in Joint Tenancy, Coparcenary or in Common may be inclined to have partition thereof; BE IT THEREFORE ALSO ENACTED by the same authority THAT partition may be made thereof, and be as Valld and the expence of the same defrayed in the same manner as the partition of other Lands are before directed, the proprietors in such further or other partition being Considered as the patentees are in the partition above prescribed

AND INASMUCH as the said Commissioners in such further or other partition may thro' the great number of proprietors and Rights proceed upon a mistake, Either by supposing them too few or too many; BE IT THEREFORE ENACTED by the same authority that if any Lott shall be set off and drawn for a person having no Title in the Lands to be divided such Lotts shall be Considered as Land still undivided, and if no Lotts shall be set off and Drawn for any person having Title nothing herein shall be Construed to defeat the Same; PROVIDED Nevertheless that the partition shall be Considered as fully Complicated to all intents and purposes, between all and every the other proprietors of the said Lands

AND WHEREAS persons holding undivided Rights in such Tract or Tracts of Land within this Colony remaining to be Divided which are parcel of such Large Tracts as are herein before mentioned to have been in part divided by act or acts of the Governour Council and General assembly may have heretofore taken up surveyed and located to themselves without the Consent of their Fellow Commoners divers parcels of such Tract or Tracts so remaining to be divided, and Conveyed the same to other persons in severalty, which parcels or some of them may happen upon the further Division of such Tract or Tracts to fall to the share of some other person or persons by which means such purchaser or purchasers will Lose their Improvements unless some provision be made to prevent the



on the putting the party or parties into the possession of such improved Lands shall be estimated according to the regulations herein after prescribed, and shall be paid by the Respective possessor or possessors of such improved Lands, and on his her or their refusal to pay the same, shall be levied on his her or their goods and chattles by warrant under the hands and seals of the said Commissioners or the hand & Seal of any one or more of them Directed to the said Sheriff of the County wherein such improved Lands respectively lie, who is hereby required to perform that service.

AND BE IT ALSO ENACTED that if any of the Commissioners so to be appointed to make any partition by Virtue of this act, shall Die before the same is Completed their powers shall Vest in & be Exercised by the Survivors or Survivor of Them.

AND BE IT ALSO ENACTED by the authority aforesaid that the surveyor appointed by the Commissioners shall be sworn previous to the said Survey to perform the same Truly and impartially which said oath they are hereby impowered to administer, and which oath shall be entered in the Minutes of their proceedings and certified by the Commissioners, and the said Commissioners and Surveyor shall have Twenty shillings a day each while actually employed in the said service, and each of the Chain Bearers six shillings a day, and the persons who audit the account Twenty shillings for that service and to the Commissioners Clerk whom they are authorized to appoint to take minutes of their proceedings there shall be paid ten shillings a day, and for such other Charges as may accrue on the partition the said auditors may allow a reasonable Sum: and all persons who shall be Employed in Surveying and dividing the Lands shall likewise be provided at the Expense of the patentees with all Necessarys usually provided on such Occasions.

AND BE IT ALSO ENACTED by the same authority that nothing in this act shall be construed to defeat prejudice or destroy the Rights of the crown nor of any Bodies Corporate and politic, nor to extend or relate to any of the Common and undivided Lands of any of the said Bodys Corporate and politic nor of any Township on Nassau Island, the Township of Schenectady in the County of Albany or of Kingston, Hurly Marble town and Rochester in Ulster county and the Borough of West Chester any Thing herein to the Contrary Notwithstanding

AND BE IT ALSO ENACTED by the authority that the out Lines of every patent so to be divided, shall be surveyed previous to the Division by the Surveyor General or his deputy, provided he do attend and perform such service upon Six weeks Notice of the time and place when the Commissioners are to meet for the performing the survey being Given to him in writing under the hands of the said Commissioners for which service he shall be allowed at the rate of Twenty shillings a day, and shall be provided with Chain bearers and Necessaries in the same manner as other surveyors and Commissioners are to be by this act, in Coming to, attending on & returning home from such Survey; But if he shall Neglect to attend in manner aforesaid, then it shall be Lawful for the Surveyor to be appointed by the Commissioners to perform the whole survey of the patent so to be divided.

AND WHEREAS there may Doubts arise on the survey concerning the Limits of the Tract so to be divided as well on objections made by those holding under other patents, as by the surveyor General and his deputy on the part of the Crown; BE IT THEREFORE ALSO ENACTED by the same authority that the said Commissioners may in such Case run the Limits in such manner as the said surveyor General or his Deputy shall direct, and also in the manner Directed by the party or parties first suing out a partition of the Lands so to be divided and attending such survey for the partition thereof, and shall make a separate division of the Lands so in dispute and shall proceed for the Compleat partition of the same in the manner before directed, and the Lines run by the Surveyor General or his Deputy for the Limits of the Bounds of the patent shall always be laid down on the Map on which the division is made and which is to be filed in the Secretaries and Clerks offices.

AND BE IT FURTHER ENACTED by the authority aforesaid that this act shall be in force from the publication hereof until the first day of January which will be in the year of our Lord One Thousand seven hundred and Seventy and no longer, PROVIDED ALWAYS that the same shall Continue and be in full force as to any proceeding Commenced by virtue hereof relating Either to the Collecting of Quit Rents or to the Partition of Lands until a full and final settlement be made according to the true Intent and meaning of this act.

## THE TWENTY-NINTH ASSEMBLY.

*Fourth Session.*

(Begun March 2, 1762, 2 George III, Cadwallader Colden,  
President.)

## [CHAPTER 1172.]

[Chapter 1172. of Van Schnaek. where the title only is printed. Chapter 249 (vol. 2) of Livingston & Stultz. where the act is printed in full.

An Act for levying paying and Cloathing  
one Thousand seven hundred and Eighty seven  
Effective men officers included to be employed  
in north america for securing his majestys  
Conquests there and for other purposes therein  
mentioned

(Passed, March 20, 1762.)

WHEREAS through the Deceitfulness of the French Court  
his Majestys good Dispositions to restore peace having been  
Frustrated His Majesty has thought it Necessary to withdraw  
his regular Forces from north america to be Employed in some  
important Enterprize against the Enemy for the Benefit of his  
Subjects in north america & particularly to require the assistance  
of these his Colonies for the securing and improving the  
possession of his Conquests there during the absence of his  
regular Troops.

BE IT THEREFORE ENACTED by his Honour the Lieutenant  
Governor the Council and the General Assembly and it is  
hereby Enacted by the authority of the same, that of the monies  
allotted by his majesty for this Colony out of the Two hundred  
Thousand pounds sterling Granted by parliament for the northern  
Colonies for defraying the expence of the Campaign of the  
year one Thousand seven hundred and Sixty now in the hands  
or which may be in the hands of Sir William Baker, Knight, and  
Robert Charles Esq'r of the City of London by Virtue of an act  
Entituled an act to Impower Sir William Baker Knight and  
Robert Charles Esq'r of the City of London to receive the sum  
that shall be allowed to this Colony by his majesty out of the  
sum of Two hundred Thousand pounds Granted by parliament  
for the Northern Colonies for defraying the Expence of the  
Campaign of the year One Thousand seven hundred and sixty  
passed in the second year of his present Majestys reign, there

shall be and hereby is appropriated for and towards Levying paying and Cloathing one Thousand seven hundred and Eighty seven Effective men officers included to be Employed from the time of their Inlistment to the first of November next in Securing and Improving the possession of his majestys Conquests aforesaid in such manner as his Majestys Commander in Chief in north america shall judge most conducive to that important End the Sum of Forty six thousand pounds; and also there shall be and hereby is appropriated for the services aforesaid the further Sum of Three Thousand nine hundred and sixteen pounds Eight shillings and Eleven pence farthing, being the Ballance in the Treasurers hands of the monies allotted for this Colony by his late majesty King George the Second out of the monies voted by parliament for the Northern Colonies for the Campaign in the year one Thousand seven hundred and Fifty Eight, and also there shall be & hereby is appropriated for the services aforesaid the further sum of Six hundred and Fifty Eight pounds nine shillings and an half penny being the Ballance in the Treasurers hands on an act Entituled an Act for Levying paying and Cloathing Two thousand six hundred and Eighty Effective men officers included for forming an army of Twenty Thousand men with the forces in the Neighbouring Colonies to reduce in Conjunction with his Majestys Regular Troops Montreal and other posts, belonging to the French in Canada for Emitting Bills of Credit for the Sum of Sixty thousand pounds and for sinking and Cancelling the said Bills in short periods, passed in the Thirty third year of the Reign of his late majesty King George the second, and likewise there shall be and hereby is appropriated for the said services the further sum of one Thousand four hundred and Twenty five pounds two shillings and one farthing out of the monies in the Treasurers hands arisen by virtue of an act Entituled an act to lay a Duty of Tonnage on the Vessels & for the time therein mentioned passed in the Eighth Year of the Reign of his said late majesty King George the Second, and by Several Subsequent Acts Continued till the first of January which will be in the year one Thousand seven hundred and Sixty Five, which said Several sums of money shall be applyed as herein after Directed any thing in the aforesaid acts to the Contrary Notwithstanding

AND BE IT ENACTED by the authority aforesaid that the Treasurer of this Colony shall be and hereby is impowered and

Directed to draw Bills on the aforesaid Sir William Baker and Robert Charles Esq'r for the aforesaid Forty six thousand pounds now in their hands, or which may be in their hands as aforesaid payable at Thirty days Sight, and to sell the said Bills to the best advantage

AND BE IT ENACTED by the authority aforesaid that in Case any of the Said Bills should not be paid at the time they become due the General Assembly shall and will provide ways and means to pay the proprietors of such Bills the Interest of the monies by them advanced for the same, from the Time the said Bills became due until the same shall be paid in Lieu and stead of the usual ReExchange and Damages.

AND BE IT ENACTED by the authority aforesaid that the said Treasurer shall out of any of the monies aforesaid in his hands or which shall be in his hands as aforesaid pay unto John Cruger Beverly Robinson and Peter Van Brugh Livingston Esquire Commissaries and paymasters to the forces raised in this Colony the sum of Twenty one Thousand pounds, to be by them applyed in the payment of one thousand seven hundred and Eighty Seven Effective men officers included, who are to be Employed in the service aforesaid after the following rates towitt, To Two Colonells Sixteen shillings per Diem Each, to Two Lieutenant Colonels Fourteen shillings per diem each, to two Majors twelve shillings per diem Each, to Two Adjutants being Lieutenants, ten shillings per Diem each To Eighteen Captains Ten Shillings per Diem Each To Thirty four Lieutenants Seven shillings per diem Each, to Two Quarter masters three shillings per Diem each, to Seventy two Serjeants, one Shilling & Eight pence per diem each to Eighteen Drummers one Shilling and six pence per Diem each, to fifty four Corporals one shilling & six pence per Diem each and unto fifteen hundred and Seventy Seven private men one shilling and three pence per diem Each, Deduction to be made for any Deficiency in that Number by death or otherwise, Which Forces they are hereby Directed to pay according to the number that shall be in actual Service & not otherwise, which shall be ascertained by the Muster Rolls of the Respective Companies monthly Delivered unto the said paymaster upon the oath of the several Captains of each Company or the oath of the Commanding officer thereof, at the time of such muster, which oath the said paymasters or Either of them, or such other person as his Honour the Lieutenant Governor or Commander in Chief, shall



appoint are hereby impowered and required to administer in the words following Vizt. I A. B. do swear that the muster Roll here produced by me is just and true and Contains no more nor other persons names than such who are really and truly Inlisted in my Company and are now actually and really in the present Service except those names marked in this muster Roll Dead Deserted or Discharged So help me God: and the said paymasters are hereby further required and Directed to pay to two Surgeons providing each two able assistants to attend the said forces the sum of Twenty four shillings per Diem each and also to provide them with proper Chests of medicines to the Value of one hundred pounds each.

AND BE IT FURTHER ENACTED by the authority aforesaid that the Treasurer shall out of the monies aforesaid pay unto each of the said Captains or other officer properly authorized to raise forces the sum of Twenty shillings for each able Bodied man whom he or they shall respectively Engage to Inlist Voluntarily into the said service, and to each of the said Captains as and for an Encouragement to the men, who shall Inlist under him or them respectively, the sum of Ten pounds to be paid by him or them respectively to each and every able bodied man who shall Voluntarily Inlist under him or them respectively on the aforesaid service, PROVIDED such man Inlist into the said service before the first day of June next, and also PROVIDED the Number of such men shall not exceed one Thousand five hundred and fifty four and likewise to each of the said Captains for and as an Encouragement to the men now in his majestys service in the pay of this Colony who are obliged to serve until the first day of July next as shall Voluntarily Inlist into the said service under him the sum of Three pounds to be paid by him to each able Bodied man for his Voluntary Inlistment until the End of the Ensuing Campaign, which said respective sums shall be paid by the Treasurer on Warrants Issued by his Honour the Lieutenant Governour or Commander in Chief for the time being in Council.

AND BE IT FURTHER ENACTED by the authority aforesaid that the said Treasurer shall out of the monies aforesaid pay unto the said Commissaries the sum of Ten Thousand pounds to be by them employed in purchasing Cloathing Blaquettes and other Necessaries for the use of the forces to be raised by this Colony on the aforesaid service: of the due Dis-

position of all which aforesaid sums of money they the said paymasters shall render just and true accounts on oath to his Honour the Lieutenant Governour or Commander in chief for the time being the Council or the General assembly, when by them or any of them thereunto required.

AND TO THE END the aforesaid Commissaries may be Encouraged to do and perform the several & respective services required to be Done and performed by them respectively. BE IT ENACTED by the authority aforesaid that the Said Commissaries shall be allowed to retain in their hands the sum of two pounds on every hundred pounds they shall employ by Virtue of this act, and in that Proportion for a Greater or Lesser Sum as a reward for their Care and Trouble in the several and respective Services hereby required to be done and performed by them

AND BE IT ENACTED by the authority aforesaid that the Said Commissaries before they receive any part of the monies hereby directed to be paid unto them shall enter into Recognizances to our sovereign Lord the King his heirs and successors before one of the Judges of the Supreme Court of this Colony in the sum of Thirty Thousand five hundred pounds with two Sufficient Sureties each in half that sum, Conditioned that they will well and truly employ and apply the monies to be received by them as aforesaid to and for the Several and Respective uses and purposes Directed by this act and Well and truly to observe do and perform all the Directions hereby required to be observed done and performed by them according to the True intent and meaning of this act, which recognizances are to be filed and recorded in the Supreme Court of this Colony.

AND BE IT FURTHER ENACTED by the authority aforesaid, that if either of the before named Commissaries shall fail of employing and applying the monies so to be received by them in the manner and for the respective uses Directed by this act, or omit to observe do and perform what is hereby Required to be observed done and performed by them, in such Case or Cases the said Recognizances shall be proceeded upon in Due form of Law against Such offender or offenders or his or their sureties in the supreme Court of this Colony, wherein no Exsolt, protection waver of Law or more than one Imparllance shall be allowed, and the money to be recovered in Consequence thereof shall be paid into the Treasury of this Colony, and applied to

and for such uses as shall hereafter be Directed by act or acts to be passed for that Purpose

AND BE IT ENACTED by the authority aforesaid that if either of the said Commissaries shall happen to Die, remove out of this Colony or refuse to act according to the several & Respective Powers and authorities hereby required and directed, it shall and may be Lawfull to and for the Lieutenant Governor or Commander in Chief for the Time being by and with the advice and Consent of his majestys Council to Nominate and appoint Some other fit person or persons in the place and Stead of him or them so Dying, Removing or Refusing to act as aforesaid, any thing contained herein to the Contrary Notwithstanding; PROVIDED the person or persons who shall be appointed shall be obliged to Enter into the like Recognizances with the like sureties, as herein is Directed to be Done by the said Commissaries, before he or they be Intituled to receive any part of the money herein mentioned, and in all respects be as Subject to observe do and perform the several Directions of this act, as if he or they had been Named or appointed in it.

AND BE IT ENACTED by the authority aforesaid that the before mentioned several sums of money directed to be paid to the aforesaid Commissaries shall be paid by the Treasurer of this Colony at Such Time and in such proportion, as shall be thought Necessary and Expedient by his Honour the Lieutenant Governor or Commander in Chief for the Time being, by and with the advice & Consent of his Majestys Council of this Colony for the performing the several and respective services directed by this Act.

AND BE IT ENACTED by the authority aforesaid, That the Treasurer shall out of the aforesaid monies, pay the Following Sums Viz't To each of the Two Colonels the Sum of Seventy pounds to Furnish their respective Tables, To each of the Two Lieutenant Colonels the sum of Fifty pounds for the like purpose, and to each of the Two majors the Sum of Forty pounds for the like purpose; AND that None of his majestys Subjects who are inclined to go upon the Service aforesaid may be Impeded or Debarred from Entering Voluntarily therein, BE IT ENACTED by the authority aforesaid that no person who shall enlist or Enter himself a Volunteer in the said service shall During the same be Liable to be taken therefrom by any process or Execution Whatsoever other than for some Criminal matter, unless for a Debt or other just Cause of action, and

unless before taking out such process or Execution not being for a Criminal matter the Plaintiff or Plaintiffs therein or some other person or persons in his or their behalf shall make affidavit before one or more Judge or Judges of the Court of record or other Court out of which such process or Execution shall Issue, or before some person authorized to take affidavits in such Court, that to his or their Knowledge the original Sum justly due and owing to the plaintiff or plaintiffs from the Defendant or Defendants in the action or Cause of action, on which such process shall Issue, or the Original Debt for which such Execution shall be Issued out, amounts to the Value of Twenty Five pounds Current money of the Colony of New York over and above all Costs of Suit in the same action or in any other action on which the same has been or shall be Grounded. A memorandum of which oath shall be Endorsed on the Back of such process or writ, for which Memorandum or oath no Fee shall be Taken, And if any person shall Nevertheless be arrested Contrary to the Intent of this act it shall and may be Lawfull for one or more Judge or Judges of such Court upon Complaint made thereof by the party himself or by any of his Superior officers to Examine into the same, by the oath of the parties or otherwise, and by Warrant under his or their Hands and seals, to Discharge such Soldier so arrested or Detained Contrary to the Intent of this act, without paying any Fee or fees, upon Due proof made before him or them, that such a Soldier so arrested or Detained was Duly enlisted for the service aforesaid, and was Arrested and Detained Contrary to the Intent of this Act.

AND BE IT ENACTED by the authority aforesaid, that any person or persons who are willing to enlist and shall accordingly enlist in the service aforesaid, and who are now detained in Goal upon Execution, or any process in any Civil action, where the Original Cause of action Did not amount to the sum of Twenty five pounds shall upon a Certificate of such his or their enlistment being produced to any Judge or Judges of the Court from whence such Process Issued be Discharged from Imprisonment without paying fees, PROVIDED NEVERTHELESS that such Discharge shall not be Deemed an Extinguishment of any such Debt, but any plaintiff or plaintiffs may be at Liberty to proceed to Judgment and Execution against the Goods of any such Defendant and also against their person or persons after he or they shall be discharged

from the said service, in the same manner as if such Debtor had not been released from Imprisonment

AND WHEREAS some persons in several parts of this Colony have Deserted from the service of the last Campaign, BE IT ENACTED by the authority aforesaid that it shall and may be Lawfull for any Justice of the peace in the City or County where such Deserter or Deserters shall be found and they are hereby Required to take and seize all such Deserter or Deserters wherever they may be found within this Colony and send them on the aforesaid service.

AND BE IT ENACTED by the authority aforesaid that in Case any person or persons Whatsoever shall harbour, Secrete or Conceal any person enlisted as aforesaid, and absenting himself from the said service he she or they so offending shall respectively forfeit the sum of Twenty pounds

AND BE IT ENACTED by the authority aforesaid that if any person or persons Whatsoever shall Directly or Indirectly Discourage or hinder any person from enlisting Voluntarily into the said service he she or they so offending shall respectively Forfeit the sum of Twenty pounds

AND BE IT ENACTED by the authority aforesaid that the said Forfeitures shall be immediately Levied on the Goods and Chattles of the said Defaulters respectively by warrant or Warrants Issued by one of the Judges of the Inferior Courts of Common pleas of the respective county or County's where the said Forfeitures shall arise, or by one of the Judges of the Supreme Court in the City of New York on due proof made thereof before him, which warrants shall be Directed to, and Executed by the Sheriff or Sheriffs of the several Citys and County's respectively, and the said Forfeitures when Levied shall be paid into the hands of the supervisors of the said Respective County's, or the City Treasurer of the City of New York, and be by them applied for and Towards the Necessary Charges of each respective City and County.

AND BE IT ENACTED by the authority aforesaid that no person or persons Whatsoever engaged in the service aforesaid shall be Detained therein longer than to the first day of November Next.

AND BE IT ENACTED by the authority aforesaid that in Case any person or persons Whatsoever engaged in the service aforesaid either as officers or soldiers shall at any time during the said service Desert therefrom, or shall begin Excite, Cause



or Join in any mutiny or Sedition in the Company to which he shall belong or in any other Company Engaged in the said service, or shall hold Correspondence with any Rebell or Enemy of his Majesty or give them advice or Intelligence by Letters messages, Signs or Tokens, or any manner of way Whatsoever, or shall strike or use any Violence against his Superior officer being in the Execution of his office or shall refuse to obey any Lawful Commands of his superior officer they shall respectively Suffer Death or such other punishment as shall be intlicted by a Court Martial Which Court Martlal Shall be held Constituted and appointed by Commission from his Honour the Lieutenant Governor or Commander in chief for the time being under the Great seal of this Colony.

AND BE IT ENACTED by the authority aforesaid that When the Treasurer shall have paid all the several sums of money directed to be paid by this act all the Residue of the aforesaid money shall remain in the Treasury to be disposed of by act or acts hereafter to be passed for that Purpose.

AND FORASMUCH as the Troops in the pay of this Colony were Necessarily Detained on the last Campaign beyond the Time for which payment was provided for them. BE IT ENACTED by the authority aforesaid that the said Treasurer shall out of the monies in his hands by Virtue of an act Intituled an act for the payment of the Debts of this Colony passed in the Thirty first year of the Reign of his late Majesty King George the Second, pay unto the said Commissaries, the Sum of Two Thousand Five hundred pounds to be by them Employed for the payment of the Troops so Detained as aforesaid, and of the Due Disposition of which said sum of Two Thousand five hundred pounds they the said Commissaries shall render true and just Accounts on oath in the manner before Directed

AND BE IT ENACTED by the authority aforesaid that the Treasurer shall Keep Exact Books of all his Receipts and payments by Virtue of this act and a True and just Account thereof shall render upon oath to the Lieutenant Governour or Commander in Chief for the Time being, the Council or to the General Assembly, when by them or any of them thereunto Required

## [CHAPTER 1173.]

[Chapter 1173, of Van Schaack, where the title only is printed. Chapter 250 (vol. 2) of Livingston & Smith, where the act is printed in full.]

An Act directing the Treasurer of this Colony to Pay the Commander in Chief of all his Majesty's Forces in North America the Sum of Four Thousand Seven hundred and Ninety Pounds for His Majesty's service to be Repaid when His Majesty Shall think proper

[Passed, March 20, 1762.]

WHEREAS It is absolutely Necessary that the Regiments Sent to North America should be Recruited to their full Complement in order to a Vigorous Prosecution of the War and the obtaining in Consequence thereof a Glorious Peace On which the future Safety and Prosperity of this Colony does immediately depend And it appears Requisite that this Should be done in America as well for the greater Speed of the Operations there as from the impracticability of their being Recruited from Great Britain which must be in a great Measure Drained of Men by the Vast Numbers already furnished for the Service of His Majesty in all the different parts of the World AND WHEREAS for this purpose it is Recommended by his Majesty's Command that this Colony should provide for the Raising of Four Hundred and Seventy Nine Recruits by Granting them the same Levy Money which is Granted by this Colony to the Provincials Without which Expedient it is not probable that So necessary a Service can be performed

THEREFORE that His Majesty's Most faithfull and Loyal Subjects in this Colony may contribute every thing in their Power to the further annoyance of the Enemy in this part of the World Consistent with their Custom of Providing for their Defence by their Militia and Serving their Sovereign in all Attacks on his Enemies by Provincial Forces raised for a limited TIME Which Custom being in a manner interwoven into their Constitution cannot be Altered without great Injury to the Colony and Prejudice to His Majesty's Subjects

BE IT THEREFORE ENACTED by His Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same that the

Treasurer of this Colony Shall on Demand Out of the Monies now in his hands by Virtue of the three following Acts, that is to Say "An act Entitled "An Act for granting to his Majesty "the Several Duties and Impositions on Goods Wares and "Merchandizes imported into this Colony therein mentioned" An Act Entitled "An act for Emitting Bills of Credit for the "payment of the Debts and for the better Support of the "Government of this Colony and other purposes therein mentioned" And an act Entitled "An act to Restrain Hawkers "and Pedlars within this Colony from Selling without Licence" Pay to His Excellency: Sir Jeffrey Amherst Commander in Chief of His Majesty's Forces in North America or his order or to the Commander in Chief for the time being or order the sum of Four Thousand Seven Hundred and Ninety Pounds to be applied to Such purposes in His Majesty's Service as is most Expedient Any thing in the Said Three Acts to the Contrary Notwithstanding.

## [CHAPTER 1174.]

[Chapter 1174, of Van Sebaeck, and chapter 251 (vol. 2) of Livingston & Smith, where the act is printed in full. See chapter 1171. Continued by chapter 1360.]

An Act to explain part of an Act Entitled  
 "An act for the more effectual Collecting of  
 "His Majesty's Quit Rents in the Colony of  
 "New York and for Partition of Lands in order  
 "thereto"

[Passed, March 20, 1762.]

WHEREAS Persons holding undivided Rights in Such Tracts of Land within this Colony remaining to be Divided as are Parcel of Such large Tract or Tracts part whereof have been heretofore divided taken up Surveyed or Located in Virtue of Covenants made and entered into by and between all the owners and Proprietors thereof in Writing under their hands and Seals May have heretofore over and Above such Division Survey and Location taken up Surveyed and Located to themselves without the Consent of the other Owners and Proprietors of the Undivided Parts of Such Tract or Tracts Divers other parcels of Such Tract or Tracts and Conveyed the same to other Persons in Severality who may have made great Improvements thereon Which improved Parcels or Some of them may upon the further

Division of Such Tract or Tracts to be made in Virtue of a certain Act of the Lieutenant Governor the Council and the General Assembly of this Colony passed the Eighth day of January in the Second Year of His Present Majesty's Reign Entitled "An act for the more effectual Collecting of His Majesty's Quitrents in the Colony of New York and for Partition of Lands in order thereto" Happen to fall to the Share of some other Person or Persons and the Purchasor or Purchasors thereby loose his or their Improvements Which Mischief was intended to be prevented by the Said Act as fully and in such manner as the loss of Such Improvements on the Undivided Parts of such Tracts Parcels whereof have heretofore been divided by Act or Acts of the Governor Council and General Assembly of this Colony is provided Against by the fifteenth Clause or Section of the Abovementioned Act as being within the same Reason

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and It is hereby Enacted by the authority of the Same that the Said fifteenth Clause or Section of the Above mentioned Act and every Article, Matter, Provision and thing in the same contained shall and Do Extend to and the Same is and are hereby declared to extend to and to have been intended to extend to all Such Tract or Tracts of Lands parts whereof have been Divided taken up Surveyed and Located in Virtue of Such Covenants as aforesaid in like manner as the same does extend to Such Tract or Tracts parts whereof have been Divided by Act or Acts and that as fully to All Intents Constructions and Purposes Whatsoever as if Such Tract or Tracts So in part divided taken up Surveyed or located in Virtue of such Covenants as Aforesaid had been therein mentioned And that the Commissioners Appointed or to be Appointed in Virtue of the above Mentioned Act to Make Partition of the Undivided Parts of Such Tract or Tracts as are last mentioned Shall have exercise and enjoy such and the Same Power and Authority as well for the Assessing of the Value of Such improvements as Aforesaid on the Same as for putting the party or Parties to whom on a Partition the Same Shall belong into the possession of Such improved Lands as the Commissioners are Vested with by the said Act for Assessing the Improvements on the Undivided Parts of Such Tract or Tracts as have been Divided by Act or Acts as aforesaid and for putting the Party or Parties to whom

the same on a Partition Shall belong into Possession of Such improved Lands Any thing in the said Act, Contained to the contrary thereof in any wise Notwithstanding PROVIDED ALWAYS that nothing in this Act contained Shall Obstruct or in any wise Interfere or be CONSTRUED to Obstruct or Interfere with the Steps or Proceedings that have already been had and taken by Virtue of the Abovementioned Act for and towards the Partition of any Tract or Tracts of Land

## [CHAPTER 1175]

[Chapter 1175, of Van Schaack, and chapter 252 (vol 2) of Livingston & Smith, where the act is printed in full. See chapters 652, 756.]

An Act for Dividing Crom-Elbow Precinct in Dutchess County in two Precincts, to be Called Charlotte and Amenia

[Passed, March 20, 1762.]

WHEREAS Crom Elbow Precinct in Dutchess County is so extensive that many of the Inhabitants cannot Attend the Annual Meetings for the Election of Officers without great Inconvenience and is become so Populous that the Elections can no longer be held with due order and Regularity

BE IT THEREFORE Enacted by His Honour the Lieutenant Governor the Council and the General Assembly and It is hereby Enacted by the Authority of the Same that the Said Precinct Shall be after the first Day of April Next Divided into two Precincts in the following Manner — The one Shall contain all that part of the Said Precinct which lies to the Westward of the Eastermost Tier of Lots laid out in the General Division heretofore made of the Tract of Land Granted to Caleb Heathcote Esquire and others called the lower or great Nine Partners and Shall be called Charlotte And the other which shall be called Amenia Shall contain the Said Eastermost Tier of Lots and so Much of the Oblong as before the Publication hereof was Contained in Crom Elbow Precinct. In Each of which two Precincts Shall be Chosen One Precinct Clerk One Supervisor two assessors One Collector Three Overseers of the Poor Three Fence Viewers One Pound master And Also unless the Court of General Sessions of the Peace Shall otherwise Appoint Four Constables and Six Overseers of the Highways Which Court is hereby declared to have and shall have the same Power of Appointing and directing what Number of Constables and Overseers of the



HighWays shall be Elected in those Two hereby Erected Precincts as it has in every other Precinct in the County Aforesaid

AND BE IT ENACTED that the Inhabitants of Charlotte Precinct Shall Annually Meet on the first Tuesday in APRIL for the Election of officers for Said Precinct at the Present dwelling House of Henry Filkin Esquire till Some other Place for that purpose Shall be legally Appointed And the Inhabitants of Amenia Precinct Shall Meet the Same Day for the like purpose at the present Dwelling House of Mr Rosewell Hopkins.

AND BE IT FURTHER ENACTED that it Shall be Lawfull for the Inhabitants of Each of the aforesaid Precincts at any of their Annual Meetings for Electing Officers as Aforesaid by a Majority of Voices of the Inhabitants So Met to Appoint any other certain Place for the Next Election Which Shall continue to be the place of Election till Another Appointment be made in the same Manner

#### [CHAPTER 1176.]

[Chapter 1176. of Van Schaack, where the title only is printed. Chapter 253 (vol. 2) of Livingston & Smith, where the act is printed in full.]

An Act to raise the Sum of Two Hundred Pounds to finish and compleat the Court House and Goal in the City of Albany.

[Passed, March 20, 1782.]

WHEREAS several Sums of Money have been raised by Virtue of several Acts of this Colony from the Inhabitants of the City and County of Albany for and towards building the Court House and Goal in the said City which Sums have proved insufficient for that Purpose.

BE IT THEREFORE ENACTED by his Honor the Lieutenant Governor, the Council and the General Assembly, And it is hereby enacted, by the authority of the same that the Supervisors of the said City and County shall and they are hereby directed and required, at their first Meeting, after the Publication of this Act, to order, to be assessed, levied, and collected of and from the several Freeholders Inhabitants and Sojourners within the said City and County of Albany, the Sum of Two Hundred Pounds over and above the annual County Charge, and the said Two Hundred Pounds, so to be raised, shall be assessed Levied collected and paid in the same Manner, as the other necessary and contingent Charges of the said City,

and County usually are, and shall be paid by the City and County Treasurer into the Hands of Such Persons as the Mayor Recorder and Aldermen, or the Major Part of them shall appoint as Managers, And of the due Disposition of the said Sum of Two Hundred Pounds, the said Managers, so appointed, shall render an Account upon Oath when thereunto required by the Mayor Recorder and Aldermen of the Said City or any Three of them, ALWAYS PROVIDED, AND BE IT FURTHER ENACTED BY THE AUTHORITY aforesaid that in Case the Two Hundred Pounds should be more than sufficient to compleat the said Court House and Goal, The Overplus shall be applied towards defraying the annual County Charge

[CHAPTER 1177.]

(Chapter 1177, of Van Schaack, where the title only is printed. Chapter 254 (vol. 2) of Livingston & Smith, where the act is printed in full.)

An Act to raise levy and collect a Sum not exceeding Five Hundred Pounds in the County of Westchester towards Finishing the Court House and Jail in the said County.

[Passed, March 20, 1762.]

WHEREAS the Sums heretofore raised have not been sufficient to build finish and compleat the new Court House and Jail in the County of Westchester; And it being necessary that the said County House and Jail be compleatly finished for holding of Courts, and Securing Prisoners.

BE IT THEREFORE ENACTED by his Honor the Lieutenant Governor, the Council, and the General Assembly And it is hereby enacted, by the Authority of the same, that for compleating and finishing the same Court House and Jail and for no other Use or Purpose whatsoever, It shall and may be Lawfull to and for the Supervisors of the said County, and they are hereby directed and required at their next Meeting, to raise levy and collect of and from the several Freeholders Inhabitants and Sojourners within the said County a Sum not exceeding the Sum of Five Hundred Pounds to be raised Levied and collected, in the same Manner as the other necessary and contingent Charges of the said County are.

AND BE IT FURTHER ENACTED BY THE Authority aforesaid that the Money, so to be raised by Virtue of this Act, shall from Time to Time be paid by the several and respective Collectors unto such Persons as shall be by the said Super-

visors, or the Major Part of them nominated and appointed not more than the Number of three for Ordering Managing and Directing how and in what Manner the said Court House and Jail shall be compleated and finished, and the said Persons so appointed and nominated, are hereby oblig'd to observe the same accordingly, and also shall and may from Time to Time, inspect examine and audit all the Accounts for Workmanship and Materials to be employed for and towards Compleating And Finishing the Court House and Jail beforementioned and of the due Disposition of the said Sum of Five Hundred Pounds or so much thereof as shall come into their Hands, they the said Persons so appointed as aforesaid shall render a true Account upon Oath, unto the Supervisors when thereunto required.

## [CHAPTER 1178.]

[Chapter 1178, of Van Schaack, and chapter 255 (vol. 2) of Livingston & Smith, where the title only is printed.]

An Act for paying Several Persons for Billeting the Forces raised by this Colony for the Campaign of the Year One thousand Seven hundred and Sixty

[Passed. March 20, 1762.]

WHEREAS by Reason of Stopages made by direction of the Commander in Chief of his Majesty's Forces in North America for Arms said to be Negligently lost by the Forces raised in this Colony in the year One thousand Seven hundred and Sixty the full Sum due to Several Persons within this Colony for Billeting the said Forces hath Not been paid And it being Unreasonable that the same should remain unpaid Which would also be a discouragement to the inlisting men for this Campaign, AND WHEREAS the Colonels Bartholomew Le Roux Isaac Cursa. and Nathaniel Woodhull have received Several Sums of Money in part of the Billeting Money aforesaid and the same remaining in their Hands unpaid by reason of their not having Received the full Sums due for Billeting the Forces aforesaid

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same That the Said Colonels Bartholomew Le Roux Isaac Cursa and Nathaniel Woodhull Shall immediately after the Publication of this act Respectively Pay Unto John Cruger, Beverly Robinson and

Peter Van Brugh Livingston Esquires Commissaries for Paying & Cloathing the Forces to be raised this Year by this Colony or to any one of them all Such Sum and Sums of Money as they the said Colonels have respectively Received on account of THE Billeting aforesaid from any Person or Persons Whomsoever And if they or any of them the said Bartholomew Le Roux Isaac Cursa and Nathaniel Woodhull shall Refuse to pay the said Sum or Sums of money So by them respectively received as Aforesaid It shall and may be Lawfull for the Said Commissaries and they are hereby Enabled in their own Names to Sue for the same in any Court of Record within this Colony having Cognizance of suits to the Amount of Such Sum or Sums as Shall So be sued for.

AND BE IT ENACTED by the Authority Aforesaid that the Said Commissaries are hereby directed and Required to pay the money So by them to be received as Aforesaid and as much more as will together make the sum of Two thousand four hundred and four Pounds five Shillings and Nine pence, current money for this Colony Which is the whole amount of the Billeting Money for the year One thousand Seven hundred and Sixty Unto the Representatives in General Assembly for the Several Cities & Counties within this Colony for the time being That is to Say Unto the Representatives for every Respective City & County or any one of them So much of the Said Billeting Money as Shall be due to Persons Dwelling or Residing within such City and County as they are respectively returned for Which Said Representatives or Representative Shall and are and is hereby required & Directed to Pay the Said Money to the Several Persons to whom it is due as Aforesaid And the Said Commissaries are hereby directed and required to take Receipts for the several Sums by them to be paid in pursuance of this Act Which Shall be allowed them as proper Vouchers in their Accounts with this Colony

#### [CHAPTER 1179.]

[Chapter 1179. of Van Schaack, and chapter 256 (vol. 2) of Livingston & Smith, where the act is printed in full.]

#### An Act for Naturalizing seventy Eight Persons therein Named

[Passed, March 20, 1762.]

WHEREAS Hendrick Deets, Wendell Hildenbrandt, Peter Haine, Fredrick Schall, Isaac Paris, Isaac Paris Junior, Lode

wich Fail, Abraham Rosekrans, Adam Kiltz, Peter Kiltz, Johannis Kiltz, Johan Nekel Kiltz, Nicholas Brathouwer, Godfrey Ratenhouwer, Hendrick Riemesnyder, Harme Schever, John Eisenlord, Fredrik Gehler Johann Christian Ruff, Conrad Walz, Christian Young, Christian Etz, Matthews Kugler, Simon Braun, Hartwig Arend, Martin Nessel, Georg Grotzinger, Heinrich Bridlffe, Jacob Narke Wilhelm Ros, Peter Nicholas Sommer, Jacob Monie, David Salt, Casper Tauschek Christoph Roettig, Michel Merdele, Christoph Merdele, Philip Hoffman Johann Feder, Carle Scheld, Jacob Griebach, Frank Otto, Jacob Kern, Jacob Dietrich, Heinrich Schneider, Rudolph Gassman, Anthony Nedmer Paulus Brand, Michel Hilschiner, Andreas Feinmayer, Peter Heen Peter Juny, Michael Konig, Carl Hoedrich, Jacob Fry, Jurry Fry, Philip Miller, Hendrick Rurs, John Ryst, Jacob Pygel, Philip Shapher Stephen Jordan, Peter Fox, Andries Frank, Christopher Frank, Anthony Marks, Michel Strook, Golliop Bouwman, Frans Otto, Abraham Bouwman, Hartwyck Arents, Henry Gerbeaux Christopher Isenhardt, Peter Prosius, David Jacobs, Johannis Joost Weeder, Willem Peter Wallace, and Adam Kauzer, Have by their Several Petitions Presented to the General Assembly Desired that they may be Naturalized and become his Majesty's leige Subjects and Settlers in this Colony

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That the before Named Several Persons and each and every of them shall be and hereby are declared to be Naturalized to all INTENTS Constructions and Purposes whatsoever and from henceforth and at all times hereafter shall be Intitled to have and enjoy all the Rights and Liberties Privileges & Advantages Which his Majesty's Natural Born Subjects in this Colony have and enjoy or ought to have and enjoy as fully to all Intents and Purposes whatsoever as if all and every of them had been Born within this Colony

PROVIDED ALWAYS AND IT IS HEREBY FURTHER ENACTED by the Authority Aforesaid That all and every and Each of the Abovementioned Persons Shall take the Oaths Appointed by Law Instead of the Oaths of Allegiance and Supremacy Subscribe the Test and Make Repeat Swear to and Subscribe the Abjuration Oath in any of His Majesty's Courts



of Record within this Colony Which Oaths the said Courts are hereby required upon Application to them made to administer take Subscriptions and Cause the names of the Persons so Swearing and Subscribing to be entered upon Record in the Said Courts. And the Said before mentioned Persons are each of them hereby required to Pay the Several Sums hereafter mentioned That is to Say To the Speaker of the General Assembly the Sum of Ten shillings To the Judge of such Court the sum of Six Shillings and to the Clerk of Such Court the sum of Three shillings

AND BE IT FURTHER ENACTED by the Authority Aforesaid That if the Said Persons or any of them having so Sworn and Subscribed as aforesaid Shall demand a Certificate of his or their being entered upon Record in the Manner herein before directed The Court or Courts in which such Oaths and Subscriptions shall be made are hereby directed and Required to Grant Such under the hand of the Judge and Seal of the Said Court or Courts in which Such Oaths and Subscriptions as aforesaid Shall be made Countersigned by the Clerk of Such Court For which Certificate each of them Shall Pay over and above the sums before mentioned the sum of Six Shillings One half to the Judge of Such Court or Courts and the other half to the Clerk thereof Which Certificate or Certificates shall be at all times to the Person or Persons therein named a Sufficient proof of his or their being Naturalized by Virtue of this Act in as full and effectual a Manner as if the Record aforesaid was actually produced by the Person or Persons so named in Such Certificates

PROVIDED ALSO AND BE IT ENACTED by the authority aforesaid That Such of the Persons hereby Naturalized as Shall Not take the Oaths Test and Abjuration in manner hereinbefore directed within Twelve Months next after the Publication hereof Shall have no manner of benefit by this Act any thing herein Contained to the Contrary Notwithstanding

AND BE IT ENACTED by the same authority that the Publick Printer of this Colony shall and hereby is directed and required to Print this Act as if the same were a Publick Act of this Colony.

## [CHAPTER 1180.]

[Chapter 1180. of Van Schaack, where the title only is printed. Chapter 257 (vol. 2) of Livingston & Smith, where the act is printed in full.]

**An Act for Raising the Sum of Three thousand Pounds by way of Lottery towards repairing the City Hall in the City of New York**

[Passed, May 6, 1762.]

**WHEREAS** it is highly Necessary that the City Hall of the City of New York Should be put into proper Repair for the more Commodious Reception of the Several Branches of the Legislature, and for the holding of Courts and other Publick uses **AND WHEREAS** the Corporation of the Said City, are, by means of the heavy Debts they at present Labour under, incapacitated to Repair the same in such manner as it ought to be for the uses and Purposes Aforesaid without the aid of the Legislature

**BE IT THEREFORE ENACTED** by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the Same That the Mayor Aldermen and Commonalty of the City of New York for the time being Shall be and hereby are fully impowered and Authorized to Erect and Establish a Lottery to Raise the aforesaid Sum of Three thousand Pounds, to be by them Applied for and towards Repairing the City Hall Aforesaid

**AND BE IT FURTHER ENACTED** by the Authority Aforesaid That Abraham Lott junior, Christopher Smith and Winter Fargie are hereby Appointed to Sell the Tickets and Manage the Said Lottery Which Said Managers Shall be allowed for their trouble for managing the same the Sum of Seventy five Pounds Each and Shall respectively take an Oath well and truly to perform the Trust reposed in them by this Act

**PROVIDED ALWAYS** and be it further Enacted by the same Authority That the Managers hereby Appointed before they take the Oath prescribed by this Act or perform or execute any thing therein contained Shall first enter into Recognizances Unto our Sovereign Lord the King His Heirs and Successors that is to Say each of them before one of the Justices of the Supreme Court in the sum of Three thousand Pounds with two Sufficient Sureties each in half that sum, Conditioned that they Shall well

and truly Each for his part Execute the Trust reposed in them by this Act

AND BE IT HEREBY FURTHER ENACTED that the Said Sum of Three thousand Pounds to be Raised by the Said Lottery Shall by the Managers thereof be paid to the said Mayor Aldermen and Commonalty or the Major part of them (the Aforesaid Allowance to the Managers, and other Necessary Charges incident to the Said Lottery excepted) to be by them Applied in the manner Aforesaid Of the due disposition of which Said sum So to be paid to the said Mayor Aldermen and Commonalty They Shall render true and distinct Accounts to His Honour the Lieutenant Governor or Commander in Chief for the time being the Council or the General Assembly when by them or any of them thereunto Required

AND BE IT FURTHER ENACTED by the Same Authority That in Case the Lottery by this Act directed Shall not be drawn before the first Day of November Next That then the Monies Received by the Said Managers for Tickets Sold by Virtue of this Act Shall be Repaid to the Possessor, or Possessors of the Said Tickets

AND BE IT FURTHER ENACTED by the Same Authority That if any Person or Persons Shall Forge or Counterfeit any TICKET or Tickets to be made in Virtue of this act or alter any of the Numbers thereof or bring any Forged or Counterfeit Ticket or Tickets whereof the Number is Altered (knowing them to be Such) to the Said Managers or any of them to the Intent to defraud the Colony or any Contributor or Adventurer in the Said Lottery Every Such Person or Persons (being thereof convicted in due form of Law) Shall be adjudged a Felon and Shall Suffer Death as in Cases of Felony without benefit of Clergy.

#### [CHAPTER 1181.]

[Chapter 1181, of Van Schaack, where the title only is printed. Chapter 255 (vol. 2) of Livingston & Smith, where the act is printed in full.]

An Act for apprehending Deserters from his Majesty's Service in the Pay of this Colony

[Passed, May 22, 1762.]

WHEREAS It is Said Some Persons in Several parts of this Colony after Inlisting into his Majesty's Service and Receiving the Bounty allowed by this Colony for the Same in the Several

Campaigns during this War have Deserted from the Said Service

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby enacted by the Authority of the Same That it Shall and may be Lawfull for any Civil or Military officer, or Such as are impowered to Enlist Men in his Majesty's Service in the Pay of this Colony for the present Campaign and they and each of them are hereby required to take and Seize all Such Deserter or Deserters wherever they may be found within this Colony (except such as may have Served in any one Campaign after Such Desertion) And Commit them to the Goal of the City or County where they Shall be found, and immediately give Intelligence thereof to the Governor or Commander in chief for the time being in order that they may be Sent on the Service of the present Campaign

AND BE IT ENACTED by the Authority Aforesaid that in case any Person or Persons whatsoever Shall Secrete or Conceal any Such Deserter or Deserters he She or they So offending Shall respectively forfeit the Sum of Fifty Pounds to be levied on the Goods and Chattles of Such offenders respectively by Warrant or Warrants to be Issued by one of the Judges of the Inferior Courts of Common Pleas of the respective County or Counties where the Forfeitures arise or by one of the Judges of the Supreme Court in the City of New York on due proof made thereof before him The one half part of which forfeiture Shall be to the use of the Prosecutor and the other half to the Supervisors for defraying of the Publick charge of the County where Such forfeiture Shall happen and in the City of New York to the Chamberlain for the use of the said City.

AND BE IT Enacted by the Authority Aforesaid that the Treasurer of this Colony Shall be and hereby is required out of any Monies now in the Treasury, and Not Appropriated for the Support of Government To pay unto Such Person or Persons that Shall apprehend and Secure any Such Deserter or Deserters as aforesaid the sum of Five Pounds.

## [CHAPTER 1182.]

[Chapter 1182, of Van Schaack, and chapter 255 (vol. 2) of Livingston & Smith, where the act is printed in full.]

An Act to make Trespasses committed on Sandy Hook in the Colony of New Jersey Actionable in this Colony and for other purposes therein mentioned

[Passed, May 22, 1792.]

WHEREAS by a certain Act Entitled "An Act for raising a sum Not exceeding Three thousand Pounds by Way of Lottery for Building a Lighthouse" Passed in the first Year of His present Majesty's Reign it was Among other things Enacted that John Cruger Philip Livingston Leonard Lispernard and William Bayard Esquires or the Major part of them should be and thereby were fully Impowered and Authorized to Erect and establish a Lottery or Lotteries not exceeding three to Raise the sum of Three thousand Pounds to be by them Applied for and towards Purchasing So much of Sandy Hook as to them or the Major part of them Shall Seem Necessary and thereon to Erect a proper Lighthouse as Soon as conveniently may be Which Said Persons So Authorized as Aforesaid having by Lottery raised the sum of Two thousand Six hundred and Sixty four Pounds fifteen Shillings and six pence for the purpose Aforesaid

BE IT THEREFORE ENACTED by His Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same that the Conveyance or Conveyances in the Law to be made and Executed by the Vendor or Vendors of the Land So to be Purchased as Aforesaid Shall be made and Executed to, and the Lands So to be purchased as Aforesaid Shall Vest in John Cruger Philip Livingston Leonard Lispernard and William Bayard Esquires and the survivor & survivors of them their Heirs and Assigns for Ever In trust Nevertheless and to and for Such uses and purposes as by act or acts hereafter to be passed Shall be mentioned and declared

AND BE IT FURTHER ENACTED by the authority aforesaid that in case any part of Sandy Hook Shall be Purchased for and Applied to the use of a Light house as aforesaid That



then and in Such Case it Shall and may be Lawfull for the Proprietor or Proprietors of Sandy Hook from time to time for Ever hereafter to sue commence and Prosecute to final Judgment and Recovery in any Court or Courts of Law within this Colony any Action or Actions for Any Trespass or Trespases that Shall be committed on any part of Sandy Hook Aforesaid by any Person or Persons Whatsoever Inhabitants or Residents of this Colony and All and every Such Action and Actions are hereby as fully and Absolutely made Cognizable in any Court or Courts of Law within this Colony as if the same were had and brought for and concerning Lands lying within their respective Jurisdictions Any Law Usage or Custom to the contrary thereof in any Wise Notwithstanding PROVIDED that if the Person or Persons who Shall have committed Such Trespass as aforesaid shall be Prosecuted for the same in the Province of New Jersey no action Shall be brought in this Colony for the Same Trespass AND PROVIDED also that the Legislature of the Colony of New Jersey do pass a Law to exempt from Prosecution in the Courts there for Such Trespases as Aforesaid, Such Person or Persons who Shall have been sued for the Same Trespass in any Court of this Colony

## TWENTY-NINTH ASSEMBLY.

### *Fifth Session.*

(Began Nov. 16, 1762, 3 George III, Robert Monckton, Governor.)

### [CHAPTER 1183.]

[Chapter 1183 of Van Schaack, where the title only is printed. See chapter 1155. Continued by chapter 1269.]

An Act further to continue an Act Entitled "An Act for granting to his Majesty the  
"several Duties and Impositions on Goods  
"Wares and Merchandizes imported into  
"this Colony therein mentioned."

(Passed, December 11, 1762.)

WHEREAS the several Duties and Impositions on goods Wares and Merchandizes imported into this Colony and granted for the Support of the Government of His late Majesty King George the Second by the above mentioned Act have by several Subsequent Acts been continued to the first day of January next

And the General Assembly being willing to make provision for the further Support of His Majesty's Government in this Colony:

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That the abovementioned Act Entituled "An Act for granting to His Majesty the Several "Duties & Impositions on goods Wares and Merchandizes "Imported into this Colony therein mentioned" Passed in the Twenty Seventh Year of His late Majesty's Reign shall be and hereby is continued And every Clause Matter and thing therein contained enacted to be and remain in full force to all Intents Constructions and purposes whatsoever from the Said first day of January next untill the first day of January which will be in the Year of our Lord One thousand Seven hundred and Sixty four both days included.

[CHAPTER 1184.]

[Chapter 1184 of Van Schaack, where the title only is printed.]

An Act for the Payment of the Salaries and Services of the several Officers of the Government to the first day of September One thousand Seven hundred and Sixty three and other purposes therein mentioned.

[Passed, December 11, 1762.]

BE IT ENACTED by His Excellency the Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that the Treasurer of this Colony shall be and hereby is Directed and Required out of the Monies arisen or which may arise by Virtue of the three following Acts Vizt "An Act for granting to his Majesty the several Duties "and Impositions on Goods, Wares and Merchandizes, imported "into this Colony therein mentioned" "An Act for Emitting "Bills of Credit for the payment of the Debts and for the Better "support of the Government of this Colony and other purposes "therein mentioned" and "An Act to Restrain Hawkers and "Pedlars from selling without Licence in this Colony," to pay the several sums of Money following to wit.

Unto the Honourable Benjamin Prat Esqr Chief Justice of the Supreme Court of this Colony for his Salary from the time of his being qualified in that Office to the first of September One thousand Seven hundred and Sixty-two, the sum of Two hundred pounds.

Unto the Honourable John Chambers Esquire late Second Justice of the Supreme Court of this Colony for his Salary from the first day of September One thousand Seven hundred and Sixty one to the time of his Resigning that Office after the rate of Two hundred Pounds per Annum.

Unto the Honourable Daniel Horsmanden Esqr for his Salary as third Justice of the Supreme Court of this Colony from the first of September One thousand seven hundred and Sixty one to the first day of September One thousand Seven hundred and Sixty two the sum of One hundred and fifty Pounds.

Unto the Honourable David Jones Esquire for his Salary as fourth Justice of the Supreme Court of this Colony from the first day of September One thousand Seven hundred and Sixty One to the first of September One thousand Seven hundred and Sixty two the sum of One hundred pounds.

Unto John Tabor Kempe Esquire his Majesty's Attorney General of this Colony for several Extrordinary Services performed by him in that Station the sum of Three hundred pounds, All which aforesaid sums shall be paid on Warrants Issued by the Governor in Council.

Unto his Excellency the Governor for Administering the Government of this Colony from the first day of September One thousand seven hundred and Sixty two to the first day of September which will be in the year of our Lord One thousand Seven hundred and Sixty three, after the rate of two thousand Pounds per Annum.

Unto his said Excellency the Governor for Providing Firewood and Candles for his Majesty's Garrison in Fort George in the City of New York from the first day of September One thousand seven hundred and Sixty two to the first day of September One thousand Seven hundred and Sixty three the sum of Four hundred pounds.

Unto the Chief Justice of the Supreme Court of this Colony for his services in that Station and for going the circuits from the first day of September One thousand Seven hundred and Sixty two to the first day of September One thousand Seven hundred and sixty three at the rate of three hundred pounds per Annum.

Unto the Second Justice of the Supreme Court of this Colony for his Services in that Station and for going the Circuits from and to the time aforesaid after the Rate of Two Hundred pounds per Annum.

Unto the third Justice of the Supreme Court of this Colony for his Services in that Station and for going the Circuits, from and to the time aforesaid after the Rate of One hundred and fifty pounds per Annum.

Unto the Secretary of this Colony for the time being for Ingrossing and Inrolling the Acts of the Governor Council and General Assembly from and to the time aforesaid the sum of Thirty pounds.

Unto the Clerk of the Council for the time being for his Services in that Station from and to the time aforesaid the sum of Thirty pounds.

Unto the Door keeper of the Council for the time being for his service in that Station from and to the time aforesaid the sum of Twenty pounds.

Unto William Weyman as Publiick Printer of this Colony for his Services in that Station from and to the time aforesaid after the Rate of Fifty pounds per Annum

Unto John Kip as Guager of Liquor Subject to Duties with<sup>in</sup> this Colony or to the guager thereof for the time being for his Services in that Station from and to the time aforesaid after the Rate of Thirty pounds per Annum

Unto Thomas Hill and Josiah Smith Land and Tide Waiters or to the Land and Tide Waiters for the Time being for their Services in that Station from and to the Time aforesaid after the Rate of Fifty pounds per Annum to each of them.

All which aforesaid several sums of Money shall be paid by the Treasurer on Warrants Issued by his Excellency the Governor or Commander in Chief for the time being by and with the advice and consent of his Majesty's Council of this Colony, and the Receipts of the several Persons Endorsed on the said Warrants, shall be to the Treasurer good Vouchers and Discharges for so much as shall be thereby acknowledged to be Received.

AND BE IT ENACTED by the authority aforesaid that the Treasurer shall be and he is hereby directed and Required out of the Funds aforesaid to pay the several allowances following to witt.

Unto Abraham De Peyster Esquire Treasurer of this Colony for his Services in that Station from and to the time aforesaid after the Rate of Two hundred pounds per Annum.

Unto the said Treasurer for the Extraordinary Services which he is now Obligated to perform beyond the usual Duty of his Office

after the Rate of the further sum of One hundred pounds per Annum.

Which said several sums or so much thereof as shall be really and truly due shall be allowed to the said Abraham De Peyater or to his Executors or administrators as good Discharges for so much in his or their accounts.

Unto Robert Charles Esquire Agent for this Colony in Great Britain as a Reward for his Care Trouble and Diligence in Attending upon his Majesty and his Ministers of State upon the Affairs of this Colony from and to the time aforesaid after the Rate of Two hundred pounds per Annum, which said Sum or so much thereof as shall be really and truly due shall be paid unto him the said Robert Charles or to his Executors or administrators, by an Order of the General assembly of this Colony signed by their Speaker for the time being and not otherwise.

Unto the said Robert Charles or his Order for sundry Disbursements made by him for the Service of this Colony in the Years One thousand Seven hundred and Sixty One and One thousand Seven hundred and Sixty two as per Account the sum of One hundred and Ninety Seven pounds four Shillings and four pence.

Unto Abraham Lott Junior Clerk of the General Assembly for his Services in that Station from the first day of September One thousand Seven hundred and Sixty two to the first day of September One thousand Seven hundred and Sixty three, Twenty Shillings per Diem, payable upon a Certificate from the General Assembly signed by the Speaker for the Number of Days he has served or may serve the General Assembly during that time.

Unto the said Abraham Lott Junior for sundry Disbursements by him made for the use of the General Assembly the sum of Ten pounds four shillings and Eleven pence.

Unto Alexander Lamb Door Keeper of the General Assembly for his Service in that Station from and to the time aforesaid, Six Shillings per Diem payable upon a Certificate from the General Assembly signed by the Speaker for the Number of Days he has served or may serve the General Assembly during that time.

Unto the said Alexander Lamb for sundry Disbursements and Extraordinary Services made and performed by him for the use of the General Assembly the sum of Fifteen pounds Eight Shillings and Six pence.

Unto John Jones for the use of his House for the General Assembly the sum of Ten pounds.



AND BE IT ENACTED by the Authority aforesaid that it shall and may be lawfull for the aforesaid Robert Charles and he is hereby directed to retain in his hands of the Monies allotted by his Majesty to this Colony and now in the hands of Sir William Baker Knight and the said Robert Charles by Virtue of An Act entitled "An Act to empower Sir William Baker Knight and Robert Charles Esquire of the City of London to receive the sum that shall be allotted to this Colony by his Majesty out of the Two hundred thousand pounds granted by Parliament for the Northern Colonies for defraying the Expence of the Campaign of the Year One thousand Seven hundred and Sixty" for his attendance and Expences in Various Services in Soliciting the Repayment of the sum of Two thousand Nine hundred and Seventy Seven pounds seven Shillings and Eight pence sterling unto this Colony for Provisions furnished to it's Provincial Troops in the Year One thousand Seven hundred and fifty six (exclusive of Fees paid at the Publick Offices) the sum of One hundred pounds sterling, which said sum shall be allowed the said Sir William Baker and Robert Charles or their Executors or Administrators as a good Discharge in their Accounts with this Colony.

And be it Enacted by the authority aforesaid that the Treasurer shall and he is hereby Directed to keep Exact Books of the several Payments which he is Directed to make by this Act and shall Render true and Distinct accounts thereof upon Oath to his Excellency the Governor or Commander in Chief for the time being, the Council or the General Assembly, when by them or any of them he shall be thereunto required

#### [CHAPTER 1185.]

[Chapter 1185 of Van Schaack, where the title only is printed.]

An Act providing for One hundred and Seventy three Volunteers Officers Included, to be Employed in protecting the different Posts on the Frontiers to the first day of July One thousand Seven hundred and Sixty three.

(Passed, December 11, 1762)

WHEREAS his Excellency General Amherst hath requested that a Body of Men should be kept in the pay of this Colony to

be employed for the Protection of the several Forts on the Frontiers during the Ensuing Winter or to the first day of July next, and this his Majesty's Loyal Colony being always willing to Exert itself to it's utmost for his Majesty's service and the Good of the Country in General.

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same that the several following sums due to this Colony on the several acts hereafter mentioned, to wit, the Ballance of Seventeen Shillings and three pence three farthings in the Hands of the Treasurer of this Colony by virtue of An Act Entitled "An Act for Levying divers sums of Money for the defraying the Charge of this Colony" passed in the Eighth year of the Reign of her late Majesty Queen Anne, The Ballance of Four Pounds, Eighteen shillings, and three pence three farthings in the Hands of the said Treasurer by Virtue of an Act Entitled "An Act for Raising Two thousand Eight hundred and fifty five Ounces of Plate" passed in the Tenth year of the Reign of her late Majesty Queen Anne, The Ballance of Seven pounds Fifteen Shillings and Ten pence farthing in the Hands of the said Treasurer by Virtue of an Act laying a duty on Goods sold at Vendue, The Ballance of One hundred And forty two Pounds One Shilling and Seven pence in the Hands of the said Treasurer by Virtue of an Act passed in the Twenty Eighth year of the Reign of his late Majesty King George the second Entitled "An Act for paying and Subsisting Eight Compleat Companies of One hundred Effective Men each Officers Included, to assist in Conjunction with the Neighbouring Colonies in Erecting One or More Forts nigh Crownpoint within his Majesty's Dominions, for Raising the sum of Ten thousand Pounds for and towards the said service and for making Current Bills of Credit to the amount thereof and other the purposes therein mentioned," the sum of One hundred and Seventy four pounds Ten Shillings and Eleven pence made payable to his Excellency Major General Braddock or his Order by an Act passed in the Twenty Ninth year of the Reign of his said late Majesty King George the second Entitled "An Act for providing for several services necessary towards Carrying on the Enterprise of Erecting one or more Forts at or nigh Crown point, and other purposes therein mentioned," the Ballance of Twenty seven pounds and Ten Shillings in the Hands of the said

Treasurer by Virtue of An Act passed in the said Twenty Ninth year of his late Majesty's Reign Entitled "An Act for the payment of the Debts due from this Colony and other purposes therein mentioned," And a Ballance of Four thousand One hundred and Sixty one pounds, Thirteen shillings and Eleven pence farthing in the Hands of the said Treasurer by Virtue of An Act passed in the Thirty first Year of the Reign of his said late Majesty Entitled "An Act for payment of the Debts of this Colony," shall be applied towards payment of the aforesaid One hundred and Seventy three Men, any thing in any of the aforesaid Acts to the Contrary notwithstanding

AND BE IT ENACTED by the Authority aforesaid that the said Treasurer of this Colony shall pay the several sums of Money aforesaid unto John Cuger, Beverly Robinson and Peter Van Brugh Livingston Esquires Commissaries and paymasters to the Forces raised in this Colony to be by them applied in the payment of One Hundred and Seventy three Men Officers Included who are to be Employed in the services aforesaid after the following Rates Vizt to one Captain Ten shillings per Diem, to three Lieutenants Seven shillings per Diem each, to six Serjants One shilling and Eight pence per Diem each, To twelve Corporals One shilling and Six pence per Diem each, to one Drummer One shilling and six pence per Diem, and to One hundred and fifty private men One shilling and three pence per Diem each, Deduction to be made for any Deficiency in that Number by Death or otherways, which Forces they are hereby Directed to pay according to the Number that shall be in actual Service, and not otherwise, which shall be ascertained by the Muster Roll of the said Company Monthly delivered unto the said paymasters upon the Oath of the Captain of the Company or the Oath of the Commanding Officer thereof at the Time of such Muster, which Oath the said Paymasters or Either of them or such other Person as his Excellency the Governor, or Commander in Chief for the time being shall appoint are hereby Impowered and required to administer in the words following Vizt "I A. B. do swear that the Muster Roll here produced by me is Just and True and Contains no more nor other persons Names then such as are Really and truly Included in my Company and are now actually and really in the present Service, so help me God," and the said Paymasters are hereby directed

to pay to one Chirurgēon attending the said Forces the sum of Ten Shillings per Diem.

AND BE IT ENACTED by the authority aforesaid that the Commissaries shall out of the Monies aforesaid pay unto the said Captain or other Officer properly Authorized to Raise the said Forces or their Order Respectively as and for an Encouragement to the Men who shall Inlist under him or them respectively the sum of Two pounds to be paid by him or them respectively to each and every able Bodied Man who shall Voluntarily Inlist under him or them respectively on the aforesaid Service.

AND BE IT ENACTED by the Authority aforesaid that the said Commissaries shall out of the Monies aforesaid provide for each Able Bodied Man Inlisted in the Service of this Colony, One Hat one Cap, one Great Coat Two Shirts, one Jacket, one pair of Leather Breeches, Two pair of Stockings, Two pair of Shoes and one Blanket, of the due Disposition of all which aforesaid sums of Money they the said Paymasters shall render Just and true accounts On Oath to his Excellency the Governor or Commander in Chief for the time being, the Council or the General Assembly when by them or any of them thereunto required.

AND to the End the aforesaid Commissaries may be Encouraged to do and perform The several and respective Services Required to be done and performed by them respectively Be it Enacted by the Authority aforesaid That the said Commissaries shall be allowed to Retain in their own Hands the sum of Two pounds on every hundred pounds they shall Employ by virtue of this Act as a Reward for their Care and Trouble in the several and Respective services hereby Required to be done and performed by them.

AND BE IT ENACTED by the Authority aforesaid that the Commissaries before they receive any part of the Monies hereby directed to be paid unto them shall enter into Recognizances to our Sovereign Lord the King his Heirs and Successors before one of the Judges of the Supreme Court of this Colony in the sum of Four thousand five hundred and Nineteen pounds seven Shillings and Eleven pence with two sufficient sureties each in half that sum Conditioned that they shall well and truly Employ and apply the Monies to be received by them as aforesaid to and for the several uses and purposes Directed by this act and well

and truly to observe do and perform all the Directions hereby Required to be Done and performed by them according to the true Intent and meaning of this Act, which Recognizances are to be filed and Recorded in the Supreme Court of this Colony.

AND BE IT ENACTED by the Authority aforesaid that if either the before named Commissaries shall fail of Employing and applying the Monies so to be received by them in the manner and for the respective uses Directed by this act or omit to Observe do, & perform what is hereby Required to be Observed Done and performed by them, in such Case or Cases the said Recognizances shall be proceeded upon in due form of Law against such Offender or Offenders his or their Sureties in the Supreme Court of this Colony wherein no Essoin protection Wager of Law or more than one Imparllance shall be allowed, and the Money to be recovered in consequence thereof shall be paid into the Treasury of this Colony and applied to and for such uses as shall hereafter be directed by act or acts to be passed for that purpose.

AND BE IT ENACTED by the authority aforesaid that if either of the said Commissaries shall happen to Die, Remove out of this Colony or Refuse to act according to the several and respective Powers and authorities hereby Required and Directed, it shall and may be Lawfull to and for his Excellency the Governor or Commander in Chief for the time being by and with the advice and Consent of his Majesty's Council to Nominate and appoint some other fit Person Or Persons in the place and stead of him or them so dying Removing or Refusing to act as aforesaid any thing herein contained to the Contrary Notwithstanding, Provided the Person or Persons who shall be so appointed shall be obliged to enter into the like Recognizances with the like Sureties as herein is directed, to be done by the said Commissaries before he or they be Intitled to receive any part of the Money herein mentioned, and in all Respects be as Subject to Observe Do and perform the several Directions of this act as if he or they had been named or appointed in it.

AND BE IT ENACTED by the authority aforesaid that the before mentioned sum of Money directed to be paid to the aforesaid Commissaries shall be paid by the Treasurer of this Colony at such time and in such proportion as shall be thought Necessary and Expedient by his Excellency the Governor or Commander in Chief for the time being by and with the advice and



Consent of his Majesty's Council of this Colony for performing the several and respective Services directed by this act, And that none of his Majesty's Subjects who are Inclined to go upon the Service aforesaid may be Impeded and Debarred from entering Voluntarily therein BE IT ENACTED by the authority aforesaid that no Person that shall Enlist or enter himself a Voluntier in the said Service shall during the same be liable to be taken therefrom by any process or Execution whatsoever other than for some Criminal Matter, unless for a Debt or some other Just Cause of action and unless before taking out such process or Execution not being for a Criminal matter the Plaintiff or Plaintiffs therein or some other Person or Persons in his or their behalf shall make affidavit before one or more Judge or Judges of the Court of Record or other Court out of which such Process or Execution shall Issue or before some Person authorized to take affidavits in such Courts that to his or their Knowledge the Original sum Justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants in the action or Cause of Action on which such Process shall Issue or the Original Debt for which such Execution shall be Issued out, amounts to the value of Fifty pounds Current Money of the Colony of New York over and above all Costs of Suit in the same action or in any other action on which the same has been or shall be Grounded, a memorandum of which Oath shall be Endorsed on the Back of such Process or Writ, for which Memorandum or oath no Fee shall be taken, And if any Person shall nevertheless be Arrested Contrary to the Intent and meaning of this Act, it shall and may be Lawfull for one or more Judge or Judges of such Court upon Complaint made thereof by the Party himself or by any of his Superior Officers to Examine into the same by the Oath of the Parties or otherways and by Warrant under his or their hands and Seals to Discharge such Soldier so arrested or detained Contrary to the Intent and Meaning of this act without paying any Fee or Fees upon due proof made before him or them that such Soldier so Arrested or Detained was duly Enlisted for the services aforesaid and was Arrested and Detained Contrary to the Intent and meaning of this Act.

AND BE IT ENACTED by the Authority aforesaid that every Person or Persons whatsoever Engaged in the Service aforesaid

shal be Continued therein until the first day of July One thousand seven hundred and Sixty three unless sooner Relieved.

AND BE IT ENACTED by the Authority aforesaid, That in Case any Person or Persons whatsoever Engaged in the service aforesaid either as Officers or Soldiers shall at any time during the said Service Desert therefrom or shall begin Excite Cause or Join in any Mutiny or Sedition in the said Company or shall hold Correspondence with any Rebel or Enemy of his Majesty or give advice or Intelligence by Letters Messages Signs or Tokens or any manner of way whatsoever or shall strike or use any Violence against any of his Superior Officers, being in the Execution of his or their Office or shall Refuse to obey any lawfull Command of his Superior Officer they shall respectively suffer Death or such other Punishment as shall be Indicted by a Court Martial, which Court Martial shall be held Constituted and appointed by Commission from his Excellency the Governor or Commander in Chief for the time being under the Great Seal of this Colony.

AND BE IT ENACTED by the authority aforesaid that when the Treasurer shall have paid all the several sums directed to be paid by this Act all the Residue of the aforesaid Money shall Remain in the Treasury to be disposed of by act or acts hereafter to be passed for that purpose.

AND BE IT ENACTED by the authority aforesaid that the Treasurer shall keep Exact Books of all his Receipts and Payments by Virtue of this act and a true and Just account thereof shall Render on Oath to his Excellency the Governor or Commander in Chief for the time being the Council or the General assembly when by them or any of them thereunto Required.

#### [CHAPTER 1186.]

[Chapter 1186 of Van Schaack, where the title only is printed, Continued by chapter 1211.]

An Act further to continue the several Acts therein mentioned Relative to the Militia of the Colony of New York

[Passed, December 11, 1762.]

BE IT ENACTED by His Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That an Act Entituled "An Act for Regu-

"*lating the Militia of the Colony of New York*" passed in the Twenty Eighth Year of His late Majesty's Reign As also one one other Act Entituled "*An Act to continue an Act Entituled*" "*An Act for Regulating the Militia of the Colony of New York*" "*with some Additions thereto*" passed in the Twenty Ninth Year of His late Majesty's Reign As also one other Act Entituled "*An Act to Amend an Act Entituled An Act for Regulating*" "*the Militia of the Colony of New York*" passed in the Thirtieth Year of His late Majesty's Reign And likewise one Other Act Entituled "*An Act further to continue an Act Entituled An Act*" "*for regulating the Militia of the Colony of New York togetaen*" "*with the two Acts therein Mentioned respecting the Regulat-*" "*ing the Militia of New York with an Addition thereto*" Passed in the Thirty second Year of His late Majesty's Reign shall be and hereby are continued And every Clause Article matter and thing in the Said four Acts contained Enacted to be and remain in full force and Virtue to all Intents Constructions and purposes whatsoever from the first day of January next until the first day of January which will be in the Year of our Lord One thousand Seven hundred and Sixty four

[CHAPTER 1187.]

[Chapter 1187 of Van Schaack, where the title only is printed. Expired January 1, 1764.]

An Act for Billeting and Quartering his Majesty's Forces within this Colony of New York.

[Passed, December 11, 1762.]

WHEREAS it is the undoubted Right of all his Majesty's Subjects in this Colony to be free from the Burthen of having Soldiers Quartered upon them against their Wills, Yet the General Assembly of this Colony considering that there may be Occasion during the Continuance of this Act to Quarter Soldiers in Places where there are no Barracks, or where the Barracks cannot contain a sufficient Number, particularly such Soldiers as are lately recovered from Distempers contracted during their service in the West Indies and remain still weak and Feeble, and being willing to promote his Majesty's Service as far as lies in their Power in this and every thing they conceive conducive thereto,

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly, and it is hereby Enacted by the authority of the same that when and as often as any of his Majesty's Forces shall be Ordered to March into or through this Colony and shall Come into any City Borough Town Mannor or Precinct in the same, That it shall and may be Lawfull for the Mayor Deputy Mayor or Recorder and any two of the Aldermen of such City and Borough and for any two Justices of the Peace of the County in which such Town or Precinct shall be to Quarter and Billet the Soldiers in his Majesty's service in such Inns Ale Houses Victualling Houses and all Houses selling Rum Brandy Cyder or any other Spirituous Liquors by Retail to be Drank in said Houses, and in case there shall not be a sufficient number of such Houses in the City, Borough, Town Mannor or Precinct into which such Forces shall come for conveniently Entertaining such Soldiers, Then and in that Case in such Private Houses in such City or Borough as the Mayor Deputy Mayor or Recorder and two aldermen in their discretion shall see fit, And in such Private Houses in the several Towns or Precincts in the several Counties as the said two Justices shall Judge most Convenient for that purpose, provided always that there shall be no more Billets at any time Ordered than there are Effective Soldiers to be Quartered nor any Greater Number of Soldiers Billeted or Quartered in any one House than two unless by the Consent of the Master of such House.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any Person or Persons in whose House any Soldier shall be Quartered and Billeted in pursuance of this Act shall Refuse to admit or take such Soldier or Soldiers so Billeted, the Person or Persons so refusing shall forfeit the sum of Five Pounds for every Soldier so Refused to be admitted, which forfeiture upon Complaint and Proof thereof made by one or more Credible Witness or Witnesses to any one Justice of the Peace, shall be Levied by Warrant of such Justice by Distress and Sale of the offenders Goods, rendering the overplus to the Party after deduction of reasonable Charges in taking the same, the said Fine to be paid to the City or County Treasurer where the same may arise to be by them applied towards the Contingent Charges of the said City and County respectively, Provided also AND BE IT FURTHER ENACTED by the Authority aforesaid that nothing in this Act herein before mentioned shall be Construed to

Impower or Authorize the billeting or Quartering any Soldiers in the Cities of New York or Albany and Township of Schenectady in which Barracks are built for the Residence of Soldiers, unless Quarters are wanting for a greater Number of Soldiers than can be conveniently placed in such Barracks.

AND WHEREAS great abuses may be Committed by Soldiers in bringing Women and Children into their Quarters under Colour of this Act Contrary to the true meaning thereof BE IT ENACTED by the Authority aforesaid, That nothing herein Contained shall be Construed to Authorize or Impower the Quartering or Billeting any Women or Children on any pretence whatsoever nor shall any Person or Persons upon whom or in whose House any Soldier shall be Quartered or Billeted in pursuance of this Act be obliged to Entertain any Women or Child brought in by any Soldier so Quartered and Billeted without the Consent and agreement of the Person or Persons upon whom such Soldier or Soldiers shall be so Quartered or Billeted.

AND to the End the Soldiers so to be Billeted may not be Imposed upon nor be Subject Oppressed. BE IT THEREFORE ENACTED by the Authority aforesaid that there shall be allowed for every Soldier Billeted and Victualled by Virtue of this Act the sum of Six Shillings per Week and the Commanding Officer of the Company to which the Soldier or Soldiers so Billeted shall respectively belong shall respectively be accountable for the Billeting Money due for the Men belonging to their respective Companies, The Soldiers Bedding to be of Straw or Chaff Inclosed in a proper Cover, and the aforesaid allowance of Six shillings per Week to be paid Weekly if Demanded.

AND be it Enacted by the Authority aforesaid that in Case the aforesaid Officer or Officers shall Neglect or Refuse to do what is required to be done by him or them by this Act in Respect to the paying the Billeting and Victualling Money that in such Case it shall and may be Lawfull for the Person or Persons on whom such Soldier or Soldiers were Billeted to Refuse the keeping such Soldier or Soldiers, any thing in this Act to the Contrary hereof Notwithstanding.

AND be it Enacted by the Authority aforesaid, That this Act shall be and Continue in force from the publication hereof until the first day of January which will be the Year of our Lord One Thousand seven hundred and sixty four.



## [CHAPTER 1188.]

[Chapter 1188 of Van Schaack, where the act is printed in full. See Chapter 1352. Amended by Chapter 1481.]

An Act for submitting the property of the Lands which are held or Claimed by Grants under the Great Seal of this Colony and are affected by the Controversy about the boundary or Partition Line between this Colony and the Colony of New Jersey to such a Method of decision as his most Gracious Majesty shall think proper by his Royal Commission or otherwise to appoint and for defraying the Expence to accrue on the part of this Colony on the final settlement of the said Line.

[Passed, December 11, 1752.]

WHEREAS the Boundary or partition Line between this Colony and the Neighbouring Colony of New Jersey has not hitherto been duly ascertained From the Station on Hudsons River to the Station on Delaware River and by Reason of the unsettled state of the Limits of the two Colonies not only the Extent of their respective Jurisdictions remain uncertain and the due and regular administration of Government in both Colonies is by that means greatly impeded; but also frequent and Dangerous Riots have been occasioned and are still likely to arise between the borderers as well Concerning the Extent of the respective Jurisdictions as the property of the Soil, to the great disturbance of the Publick Peace and the manifest Discouragement of his Majesty's good Subjects in the Settlement and Improvement of that part of the Country. And Altho' on the part of this Colony it is insisted on by many that a very great part of the Lands contended for by this Colony do still vest in his most gracious Majesty, Yet as the residue of the said Lands are held or claimed as private property by divers of his Majesty's Subjects in Virtue of Grants issued under the Great Seal of this Colony: To the Intent therefore that the said Controversy as far as it Concerns the latter may together with the Boundary or Partition Line between the two Colonies be finally settled and determined.

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same, That all and singular the Messuages Lands Tenements and Hereditaments, And all Right Title Interest and property in and to the same which are held or Claimed by any of his Majesty's Subjects by Virtue of any Grant or Grants under the Great Seal of this Colony and are can shall or may be in any wise affected by the said Controversy concerning the Boundary or the Partition Line between this Colony and the Colony of New Jersey are hereby fully and absolutely to all Intents Constructions and purposes in the Law whatsoever Submitted and made subject to the same method of decision as his most Gracious Majesty shall think proper by his Royal Commission or otherwise to institute and appoint for the final settlement and Determination of the Boundary or Partition Line between the said two Colonies. And that all and every Determination and Determinations to be made by any Person or Persons whatsoever by authority derived from his Most Gracious Majesty by his Royal Commission or otherwise that shall in any wise Concern the said Line or the Controversy that has hitherto Subsisted relating to the same and whereby the Right Title Interest and Property of the said Messuages Lands Tenements and Hereditaments so held or Claimed by such Grants as aforesaid or any part or parcel thereof shall be intended to be bound and determined shall fully compleatly and Absolutely bind and for ever Determine the Right Title Interest and property of the said Messuages Lands Tenements and Hereditaments to all Intents Constructions and purposes in the Law whatsoever, any Law Usage or Custom to the Contrary thereof in any wise notwithstanding.

AND TO THE END that Sufficient provision may be made on the part of this Colony for payment of the one equal half part of the Joint Expence to accrue on the final Settlement of the said Controversy and the boundary Line between the said Colonies, and also for paying of the particular Expences that shall or may Accrue on the part of this Colony in prosecuting the said Controversy to a final Settlement, BE IT ENACTED by the authority aforesaid That John Cruger, Henry Holland, Frederick Philipse, John Morine Scott William Bayard and Benjamin Kissam Esquires or the Majority of them or the Majority of the Survivors of them are hereby nominated and

appointed Agents to manage the said Controversay on the part and behalf of this Colony, And also that the said Managers or the Major part of them and the Major part of the Survivors of them shall and are hereby authorized to pay lay out and Expend from time to time from and out of the Publick Monies in the Treasury of this Colony all such sum and sums of Money as shall from time to time be necessary to defray as well the one half of the said Joint Expence as the particular Expences aforesaid, which sum and sums of Money shall from time to time upon application of the said Managers or the Major part of them or the Major part of the Survivors of them as occasion shall require be drawn out of the said Treasury by Warrant or Warrants of his said Excellency or the Commander in Chief of this Colony for the Time being, by and with the Advice of his Majesty's Council in favour of the said Managers or the Major part of them and the Major part of the survivors of them, AND ALSO that the said Managers and the survivors of them shall from time to time account upon Oath for and concerning the Execution of the Trust hereby reposed in them to his said Excellency or the Commander in Chief for the time being, his Majesty's Council or the General Assembly of this Colony, when by them or any of them they shall be thereunto required PROVIDED ALWAYS that if his Excellency the Governor, or the Commander in Chief for the time being and the Council and General Assembly of said Colony of New Jersey Do not within one year next after the Publication of this Act pass an Act for submitting and Subjecting all the Messuages, Lands, Tenements and Hereditaments and the Rights Titles Interest and property thereof held or Claimed by any of his Majesty's Subjects as being and Lying within the said Colony of New Jersey, to the same Method of decision and to be bound and determined by such Determination and Determinations as in and by this act is mentioned and directed concerning Lands held or Claimed by any of his Majesty's Subjects by Virtue of Grants under the Great Seal of this Colony that then and in such Case and immediately thence forth this Act and every Article Matter Clause and Thing in the same Contained shall be Absolutely Null and Void and of no Effect to all Intents Constructions and purposes in the Law whatsoever as if the same had never been made and passed, and any Law Usage or Custom to the Contrary hereof in any wise notwithstanding.

## [CHAPTER 1189.]

[Chapter 1189 of Van Schaack, where the title only is printed. Expired January 1, 1764.]

**An Act for Collecting the Duty of Excise on Strong Liquors retailed in this Colony from the first Day of January One thousand Seven hundred and Sixty three to the first of January One thousand Seven hundred and Sixty four Inclusive.**

[Passed, December 11, 1762.]

**BE IT ENACTED** by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same that Cornelius Clopper shall be and hereby is appointed Commissioner for Collecting the Duty of Excise of and from the several retailers of Strong Liquors within the City and County of New York from the first day of January One thousand Seven hundred and Sixty three to the first day of January which will be in the year One thousand Seven hundred and Sixty four.

**AND BE IT ENACTED** by the Authority aforesaid that the said Commissioner shall as soon after the Publication of this Act as he shall Judge Convenient, appoint the several Retailers within the said City, and Direct and ascertain what each Retailer shall pay for the said Duty, from the first day of January One thousand seven hundred and sixty three to the first day of January One thousand Seven hundred and Sixty four, Always Provided that the whole sum so to be laid on the several Retailers in the said City and County shall be the full and entire sum of Nine hundred and fifty four Pounds, with the additional sum of One hundred pounds for incidental Charges, and his Commissions, which last is to be at the rate of five per Cent for which said sum of One hundred pounds he shall account on Oath, and if it exceeds his Commissions and incidental Charges, the Surplus thereof shall be applied in ease of the next years Excise, And the said Sum of Nine hundred and fifty four pounds, shall by the said Commissioner be paid unto the Treasurer of this Colony, on or before the first day of January One thousand Seven hundred and sixty four.

**AND BE IT ENACTED** by the Authority aforesaid that the several and respective Persons hereafter named, shall be and hereby are appointed Commissioners for Collecting the Duty of

Excise of and from the several and respective Retailers, within the several and respective Counties of this Colony hereafter mentioned, and the Harbours, Bays and Rivers respectively thereunto adjoining and belonging Vizt. For the City and County of Albany, the Mayor, Recorder and Aldermen of the said City, For Kings County Theodorus Polhemus Esquire, For Queens County Benjamin Townsend and Hendrick Onderdonk, For Suffolk County Richard Floyd, Hugh Gelston and Samuel Landen Esquires, For West-Chester County Edward Stevenson Esquire, For Dutchess County James Duncan and Clear Everit Esquires, For Ulster County Captain Jonathan Hasbrouck and Joseph Gacherie, For Orange County William Thompson and Jacob Conclin Esquires, And for Richmond County Bezakiah Wright Joseph Bedal and Jacob Rezeau Esquires.

AND BE IT ENACTED by the Authority Aforesaid that the aforesaid several and respective Commissioners or the Major part of them respectively, shall as soon as conveniently they can after the Publication of this Act meet at the County Halls of their several and respective Counties, or at such other place or Places as they the said Commissioners shall respectively appoint for putting in Execution the Powers and Authorities given by this Act; at which Time or at such other Times as they shall judge Necessary the said Commissioners or the Major part of them respectively shall for their own Counties severally and respectively fix the number and appoint the several Retailers within their several and respective Counties, and direct and ascertain what each Retailer shall pay for the said Duty of Excise from the first day of January One thousand seven hundred and Sixty three to the first day of January One thousand seven hundred and sixty four, Always Provided that the sum to be Laid on the several Retailers in the City and County of Albany shall be the full and entire sum of One hundred and Twenty seven pounds with the Sum of Thirteen pounds in addition thereto for the Charges of Managing the same, On the several Retailers in Kings County the full and entire sum of Forty pounds, with the sum of Five pounds in addition thereto for the Charges of Managing the same, On the several Retailers in Queens County the full and entire sum of One hundred and Twenty five pounds with the sum of Ten pounds in addition thereto for the Charges in managing the same, On the several Retailers in Suffolk County the full and entire sum of sixty



pounds with the sum of Nine pounds in addition thereto for the Charges of managing the same. On the several Retailers in West Chester County the full and entire sum of Seventy Pounds with the sum of Ten pounds in addition thereto for the charges of managing the same, On the several Retailers in Dutches County the full and entire sum of Forty two pounds with the sum of Eight pounds in addition thereto for the Charges of managing the same. On the several Retailers in Ulster County the full and entire sum of Thirty Eight pounds with the sum of Eight pounds in addition thereto for the Charges of managing the same, On the several Retailers in Orange County the full and entire sum of Nineteen pounds with the sum of four pounds in addition thereto for the Charges of Managing the same, On the several Retailers in Richmond County the full and entire sum of Twenty five Pounds with the sum of One Pound Ten Shillings in addition thereto for the Charges of managing the same.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the aforesaid several and Respective Commissioners shall before they enter on the Execution of the Powers and Authorities given by this Act, enter into Recognizances unto our Sovereign Lord the King his Heirs and Successors before any Judge of the Supreme Court or of the Inferior Courts in the following sums, that is to say, The said Cornelius Clopper in the penal sum of One Thousand Nine hundred and Eight pounds, The said Theodorus Polhemus in the Penal sum of Eighty pounds, the said Benjamin Townsend and Hendrick Onderdonk in the penal sum of Two hundred and fifty pounds, The said Richard Floyd, Hugh Gelston, and Samuel Laudon in the penal sum of One hundred and Twenty pounds, The said Edward Stevenson in the penal sum of One hundred and Forty pounds, The said James Duncan and Clear Everit in the penal sum of Eighty four pounds, The said Jonathan Hasbrouck and Joseph Gacherie in the Penal sum of Seventy Six pounds, The said William Thompson and Jacob Conclin in the penal sum of Thirty Eight pounds, The said Hezekiah Wright, Joseph Redel, and Jacob Rezeau in the penal sum of Fifty pounds. Conditioned that they shall well and truly pay to the Treasurer of this Colony on or before the first day of January which will be in the Year of our Lord One thousand seven hundred and Sixty four, the several and respective sums to be laid in manner as aforesaid on the several and respective Retailers within their several and

respective Counties exclusive of the several and respective sums by this Act allowed for the Charges of management.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the aforesaid several and respective Retailers shall pay the aforesaid several and respective sums laid or to be laid on them unto the aforesaid several and respective Commissioners on or before the first day of December One thousand seven hundred and Sixty three, for securing which payment the said Commissioners shall respectively oblige the said several and respective Retailers to give such security as they the said Commissioners shall judge necessary PROVIDED that such Retailers in the City of New York as shall be Rated three pounds and under; and such in the several Counties, as shall be Rated at Thirty Shillings and under shall not be permitted to have Liberty to Retail, unless they immediately pay the several and respective sums they shall be rated at to the aforesaid Commissioners; any thing herein before Contained to the Contrary Notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that in case any Person or Persons whatsoever other than such as the said Commissioners shall permit shall presume to sell any Strong Liquors by Retail directly or indirectly the Offender or Offenders shall for every such Offence forfeit the sum of Six pounds to be recovered by the said Commissioner or Commissioners respectively on the oath of any one credible Witness in a summary way in the Cities of New York and Albany before the Mayor or Recorder and one or more Aldermen of the said Cities respectively, and in the several Counties before any Justice of the Peace within the said Counties respectively. And if upon Conviction the said forfeitures be not paid the same shall be levied on the Goods and Chattels of the Offender or Offenders by Warrant or Warrants under the Hands and Seals of the persons before whom such Conviction shall happen. And if no Goods and Chattels are found on which to distrain, it shall and may be lawfull for the persons who heard and determined the Cause to commit the Offender and Offenders to Goal without Bail or Mainprize for the space of three Months unless the Penalties are sooner discharged. And the said respective Magistrates shall be and hereby are fully impowered directed and required to hear and determine those matters in the manner aforesaid and to give Judgment, and if need be to Award Execution thereon and to Issue a Warrant or Warrants for the Commitment of Offenders as the Case may require, one third of which forfeiture

shall be to the Informer or Informers, one third to the said Commissioners, and one third to the Poor of the Town Manor or Precinct where the Offence shall be committed; to be paid into the Hands of the Church Wardens or Overseers of the Poor of the said respective Place or Places by the Officer or Officers by whom the same shall be levied; any thing in any of the acts of this Colony to the Contrary notwithstanding.

AND BE IT ENACTED by the Authority aforesaid that the several Retailers who shall be permitted and allowed to retail by the said Commissioner or Commissioners, shall before they do so Retail any Strong Liquors enter into Recognizances, that is to say, in the Cities of New York and Albany before the respective Mayors thereof, and in the several Counties of this Colony before two Justices of the Peace in the penal sum of Twenty pounds, with sufficient sureties in the like sum Conditioned to keep an Orderly House according to Law during the Time they shall be permitted to retail as aforesaid, and thereupon the said respective Mayors or the said Justices shall Grant to such Person or Persons who have entered into such Recognizance a Licence under his or their Hands and Seals to Retail Strong Liquors in such House and Place as shall be mentioned therein during the continuance of this Act, which Recognizances are to be Lodged by the Person or Persons before whom the same shall be taken, VIZ in the Cities of New York and Albany with the Town Clerks, and in the several Counties with the Respective Clerks thereof, And upon Complaint of the Breach of the said Condition it shall be lawfull for the said Mayors and Aldermen of New York and Albany or the Greater number of them, and in the Counties for the Justices of the General and Special Sessions of the Peace to suppress the Licence or Licences of such Offender or Offenders.

AND BE IT FURTHER ENACTED by the Authority aforesaid that in case any of the Persons who shall be permitted to Retail Strong Liquors as aforesaid by the said Commissioner or Commissioner, shall presume to Retail before Licence be obtained or a Recognizance be entered into to keep an Orderly House the Person so Offending shall forfeit the sum of Six Pounds for each Offence to be recovered in a Summary way in the manner before directed, one half thereof to the Informer and the other half to the Poor of the Town Mannor or Precinct where the forfeiture shall arise.

AND that the Expence of being qualified to Retail may be within the bounds of Moderation; BE IT ENACTED by the

Authority aforesaid that no more shall be taken for a licence and Recognizance in the Cities of New York and Albany than the usual and accustomed Fees and in the respective Counties than the sum of Three Shillings.

AND BE IT FURTHER ENACTED by the Authority aforesaid that such Persons permitted to Retail as aforesaid by the said Commissioner or Commissioners who Retail Strong Liquor not to be drank in their own Houses but carried else where, shall not be obliged to enter into Recognizance and take Licence as aforesaid, any thing Contained in this Act to the contrary notwithstanding.

AND BE IT ENACTED by the Authority aforesaid that in case all the several sums for which the Excise shall be let in the several and respective Cities and Counties of this Colony shall fall short of the sums herein before Rated on the several and respective Cities and Counties with the aforesaid incidental Charges of letting and collecting the same, then the Commissioner or Commissioners aforesaid where such Deficiencies shall happen shall be and are hereby impowered to call the Retailers before them and Assess and Rate such Sum and Sums upon them as shall be sufficient to make up such Deficiencies, which said additional Sums, shall be collected and paid in the same manner with the several and respective Sums first laid.

AND BE IT ENACTED by the Authority aforesaid that in case of the Death of any of the aforesaid Commissioners the surviving Commissioner or Commissioners where such Death may happen shall be and hereby is and are intitled to the whole Reward and vested with the same Powers and Authorities to Execute this Act as if no such Death had happened. And in case of the Death of all the Commissioners of any of the respective Cities and Counties; then the Sheriff or Sheriffs for the time being of the Cities Counties or County, where such Death may happen, shall be and hereby is and are vested with all the Powers and Authorities given to the Commissioners by this Act, shall be under the same Regulations, and intitled to the same Rewards, to all Intents Constructions and Purposes whatsoever, as if they had been particularly named and appointed in this Act; any thing in this Act to the contrary notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that all the monies to be paid to the Treasurer of this Colony by Virtue of this Act, shall be employed for and towards cancelling the Bills of Credit struck and emitted upon the said duty

of Excise at the times and in the manner directed in and by an Act Entitled An Act for the more effectual Cancelling the Bills of Credit of this Colony passed in the Twenty first year of his late Majesty's Reign and to and for no other use whatsoever.

AND BE IT FURTHER ENACTED, that the Retailers in the City of New York shall pay the Excise in three several Payments or sooner as the Commissioner and they shall agree. PROVIDED ALWAYS that nothing in this Act shall be construed to make void abridge or any wise lessen the several Rights and Privileges granted unto the Cities of New York and Albany by their respective Charters; any thing contained in this Act to the Contrary thereof Notwithstanding.

AND WHEREAS Edward Man farmed the Excise of Strong Liquors for the City and County of New York for three Years Vizt from the first day of November One thousand seven hundred and forty to the first day of November One thousand seven hundred and forty three for which he was to pay Five hundred and forty pounds per Annum, and having Lett the said Excise to several Persons, some whereof proving insolvent, whereby the said Edward Man is rendered Incapable to pay the whole of the sum of money he Farmed the Excise at BE IT ENACTED by the Authority aforesaid, that the Treasurer shall and is hereby directed to allow the said Edward Man an abatement of One hundred and Seventy two pounds Twelve shillings and Nine pence out of the monies arisen by the said Excise on Strong Liquors Retailed in the City of New York in the three years aforesaid, any thing in any of the Acts for farming the Excise passed in the three years aforesaid to the Contrary Notwithstanding.

[CHAPTER 1190.]

[Chapter 1190 of Van S. Knack, where the title only is printed. See chapter 1074. Further continued by chapter 1214.]

An Act further to continue the Currency of Bills of Credit Emitted by Virtue of an Act Entitled An Act for Emitting Bills of Credit for the Payment of the Debts and for the Better Support of the Government of this Colony, and other purposes therein Mentioned.

[Passed, December 11, 1762.]

WHEREAS an Act Entitled An Act for Emitting Bills of Credit for the payment of the Debts and for the Better support



of the Government of this Colony and other purposes therein mentioned, passed in the Eleventh year of the Reign of his late Majesty King George the second, has, by several Subsequent Acts been Continued until the third Tuesday in April, which will be in the year of our Lord One thousand seven hundred and sixty three, AND WHEREAS the Circumstances of the Colony still Require the Aid of the Interest Money arising on the Bills of Credit issued by Virtue of the Act first aforesaid, for Supporting the Government thereof.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that the time for which the said Interest money stands appropriated for the Support of the Government of this Colony, by the last subsequent Act aforesaid Entitled An Act further to Continue the Currency of the Bills of Credit Emitted by Virtue of An Act Entitled An Act for Emitting Bills of Credit for the payment of the Debts and for the better support of the Government of this Colony and other purposes therein mentioned, shall be and hereby is deferred Removed and further prolonged until the Third Tuesday in the Month of April which will be in the year of our Lord One thousand Seven hundred and Sixty four any thing in any of the aforesaid Acts to the Contrary Notwithstanding, AND that at the time last mentioned one fourth part of the Bills of Credit aforesaid and the remainder thereof in the Next three succeeding Years shall be paid in, Cancelled and Destroyed at the times and in the manner directed in and by An Act Entitled An Act for the more Effectual Cancelling the Bills of Credit of this Colony, Passed in the Twenty first year of his said late Majesty's Reign, and that as Well the said first mentioned Act as one other Act Entitled An Act to facilitate and Explain the duty of the Loan Officers in this Colony Passed in the said Eleventh year of his said Late Majesty's Reign, and every the Clauses Matters Articles and things in them Contained shall be and hereby are Enacted to Continue and Remain in full force and Vertue to all Intents Constructions and Purposes whatsoever, until the third Tuesday in April which will be in the year of our Lord One thousand seven hundred and Sixty seven, any thing in the said Acts to the Contrary Notwithstanding.

AND BE IT ENACTED by the Authority aforesaid that the said Bills during the time they are hereby Enacted to remain Current shall Continue to be put out at Interest in the same

manner and Method as in the said first mentioned Act is directed, And that all the Interest money which may arise on them during that time shall from to time be Employed to and for the Support of the Government of this Colony in such manner as shall by Act or Acts hereafter to be Passed for that purpose be Ordered and Directed and not otherwise, Except so much thereof as may be necessary for sinking and Cancelling the sum of Eight Thousand and fifty nine pounds fourteen shillings and Eleven pence Emitted in Bills of Credit by Vertue of the Act first aforesaid for paying the debts then due from this Colony.

AND BE IT ENACTED by the Authority aforesaid that the Loan Officers of the Several Cities and Counties within this Colony for the time being shall be and hereby are fully impowered and authorized to alter the form of all such Mortgages as shall by them or any of them hereafter be taken in any of their Offices in Relation to the time and times of Payment in such manner as to make the same answerable to the true Intent and meaning of this Act, any thing in any of the aforesaid Acts to the Contrary Notwithstanding

AND BE IT ENACTED by the Authority aforesaid that whenever the Loan Officers of the several Cities and Counties within this Colony shall from the Information of any of the Supervisors in the respective Counties of this Colony or from the Information of the Justices and Vestrymen of the City of New York or the Major part of them have Sufficient Reason to suspect the Insufficiency of any of the securities Taken or to be taken for any sums of money Lent or to be Lent out of any of their Respective Offices either as to the value or Title of the said Securities, they the said Loan Officers shall be and hereby are impowered and Required to demand payment of the Principal sums Notwithstanding the due payment of the Interest thereof, or further sufficient security, and upon failure of due payment of such principal sums or Refusing or Neglecting to give further sufficient security within fourteen days after such demand made, to proceed to the sale, of the Mortgaged lands or such other Remedy as is given by the first aforesaid Act according to the Nature of the Case and therein to pursue the Rules and Directions prescribed in and by the said Act any thing therein Contained to the Contrary Notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any of the Persons who became Securities for the Loan officers pursuant to the first aforesaid Act shall be

Desirous of being Discharged from Continuing longer under their said Engagements they shall give Notice thereof in writing unto the Supervisors of the Respective Counties or to the Mayor and Alderman of the Respective Cities, where they stand Engaged between the first Tuesday in February and the first Tuesday in March in the year One thousand seven hundred and sixty three, and the said Supervisors or Mayor and Aldermen or the Major part of them respectively, shall immediately thereafter give Notice in Writing to the Respective Loan Officers whose sureties so desire to be Discharged, that he or they do by the first Tuesday in April then next following provide and give New security, and in case any of the Loan Officers aforesaid, so notified as aforesaid, shall fail of giving new security to the satisfaction of the said Supervisors or Mayor and Aldermen or the Major part of them Respectively, by the said days, then the said Supervisors or Mayor and Aldermen or the Major part of them Respectively shall proceed to the choice of a new Loan Officer or Loan Officers, in the Room and Stead of such so failing, And in their proceedings thereon shall pursue the Directions of the first aforesaid Act with Respect to the Choice of New Loan Officers in the several Cases therein mentioned, any thing in this or the aforesaid Acts to the Contrary Notwithstanding

#### [CHAPTER 119L]

[Chapter 119l of Van Schaack, where the title only is printed. See chapter 1146. Expired January 1, 1764. Provided by chapter 1215.]

An Act to continue an act Entitled  
 "An act for Regulating the Pilots and estab-  
 "lishing their Pilotage between Sandy Hook  
 "and the Port of New York, and other pur-  
 "poses therein mentioned."

[Passed, December 11, 1762]

WHEREAS an act Entitled "An Act for Regulating the Pilots  
 "and establishing their Pilotage between Sandy Hook and the  
 "Port of New York and other purposes therein mentioned"  
 passed in the Thirty second year of His late Majesty's Reign  
 Expired by its own Limitation on the first Day of January One  
 thousand seven hundred and Sixty one And was Since Revived  
 and continued in force by an Act Entitled "An act to Revive an  
 "Act Entitled An Act for Regulating the Pilots and Establish-  
 "ing their Pilotage between Sandy Hook and the Port of New

"York and other purposes therein mentioned" passed the fourth day of April One thousand Seven hundred and Sixty One to the first Day of January One thousand Seven hundred and Sixty three And the same having been found usefull and necessary

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly And it is hereby Enacted by the Authority of the Same That the Act first Above-mentioned Shall be and hereby is continued and every Article Matter and Clause therein contained Enacted to be and Remain in full force from the first Day of January next to the first Day of January which will be in the Year of our Lord One thousand Seven hundred and Sixty four

[CHAPTER 1192.]

[Chapter 1192 of Van Schaack, where the title only is printed. See chapter 1153 Continued by chapter 1331.]

An Act to continue an Act Entituled  
"An Act to prevent Frauds in the Sale of  
"damaged goods imported into this Colony."

[Passed, December 11, 1762]

BE IT ENACTED by His Excellency the Governor the Council and the General Assembly and It is hereby Enacted by the Authority of the Same that the Act passed in the first Year of the Reign of His present Majesty Entituled "An Act to prevent "Frauds in the Sale of Damaged Goods imported into this "Colony" Shall be and hereby is continued in full force and Virtue to all intents and Purposes from the first day of January next Until the first day of January which will be in the Year of Our Lord One thousand Seven hundred and Sixty Eight

[CHAPTER 1193.]

[Chapter 1193 of Van Schaack, where the title only is printed.]

An Act for repaying the Treasurer of  
this Colony sundry sums of Money by him  
advanced for the Service of this Colony and  
for other Purposes therein mentioned.

[Passed, December 11, 1762]

WHEREAS the Treasurer of this Colony hath at the Request of his Honour the Lieutenant Governor, the Council, and the General Assembly, at different times, advanced sundry sums of

Money for his Majesty's Service, to wit, the sum of Six thousand three hundred and Seventy pounds fourteen shillings and Ten pence, towards Levying Paying and Cloathing the Forces Raised by this Colony for the Campaign of the Year One thousand Seven hundred and Sixty one; and the sum of Eleven hundred Pounds pursuant to two Orders of the General Assembly of the Twenty first day of May last for and towards the Levying Paying and Cloathing the Forces Raised by this Colony for the present years Campaign, which sums at the time of their being so advanced could not, but with the greatest Inconvenience have been provided for by Act of the Legislature. AND WHEREAS it is absolutely Necessary that Provision should be made for Authorizing the said Payments, as also for sundry other Services.

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly and It is hereby Enacted by the Authority of the same That it shall and may be Lawfull to and for Abraham De Peyster Esquire Treasurer of this Colony out of the several following Balances to wit, The Ballance of Seven hundred and thirty five pounds Eight shillings and three pence half penny in his Hands by Virtue of an Act passed in the Eighth year of the Reign of his Late Majesty King George the Second Entitled "An Act to lay a Duty of Tonnage on the Vessels, and for the time therein mentioned." The Ballance of One thousand Six hundred and forty Eight pounds four Shillings and three pence half penny in his Hands by Virtue of an act passed in the thirty third year of the Reign of his said late Majesty Entitled "An Act for laying an Excise upon all Tea of Foreign growth retailed within this Colony during the time therein mentioned." The Ballance of Six hundred and Sixty two Pounds in his Hands by Virtue of an Act passed in the first year of the Reign of his Present Majesty Entitled "An Act providing for one hundred and seventy three Volunteers Officers included to be employed in "Protecting the different Posts on the Frontiers." And the Ballance of Five thousand Nine hundred and Sixty four Pounds Ten Shillings and Eleven pence in his Hands by Virtue of the three following acts, to wit, an act Entitled "An Act for granting to his Majesty the several Duties and Impositions on Goods Wares and Merchandizes imported into this Colony therein mentioned" An Act Entitled "An Act for Emitting Bills of Credit for the Payment of the Debts



"and for the better Support of the Government of this Colony  
"and other purposes therein mentioned" And an act Entitled  
"An Act to Restrain Hawkers and Pedlars from selling without  
"Licence in this Colony." To retain in his own Hands the said  
respective sums of six thousand three hundred and seventy  
Pounds fourteen shillings and ten pence, and Eleven hundred  
pounds, so by him paid and advanced as aforesaid, and the same  
shall be allowed unto the said Abraham De Peyster or to his  
Executors or administrators as good Discharges for so much in  
his or their Account, any Law Usage or Custom to the Contrary  
hereof in any wise Notwithstanding

AND BE IT ENACTED by the Authority aforesaid, That the  
said Treasurer shall and he is hereby directed and Required out  
of the Funds aforesaid to pay the several following allowances,  
to wit,

UNTO Edmond Matthews in full of his Demands as Captain  
and Major in the service of this Colony in the years One thousand  
seven hundred and fifty five, and One thousand Seven hundred  
and fifty six the sum of Five hundred and Seventy pounds Ten  
Shillings and two pence.

UNTO Abraham Lott Junior Clerk of the General Assembly  
for three hundred Reams of Paper by him provided pursuant to  
an Order of the General Assembly of the Eighth of January last,  
for Reprinting the Votes and Proceedings of the said General  
Assembly the sum of Two hundred and fifty five Pounds.

UNTO the said Abraham Lott Junior for Money by him  
advanced, in providing Chandeliers, Maps and sundry other  
things for the use of the General Assembly, and for his Extraor-  
dinary Services, as Clerk to the Commissioners for stating the  
Publick Accounts of this Colony for Twelve Years past, the sum  
of One hundred and Ninety pounds Nine shillings and a half  
penny.

UNTO Daniel Ebbets, in full of his account for Painting and  
Glazing the Governors House in the Fort, the sum of Four hun-  
dred and two pounds five Shillings and Seven pence half penny.

UNTO Andrew Gautier, in full of his account of Carpenters  
Work done to the Governors House in the Fort, and to the Gov-  
ernors Stables, the sum of Ninety Seven Pounds Eighteen Shil-  
lings and one penny.

And unto Robert Andrews, in full of his Account of Smiths  
Work done in and about the Governors House in Fort George  
the sum of Twenty three Pounds five Shillings and nine pence.

AND BE IT FURTHER ENACTED by the Authority aforesaid, That the Treasurer shall keep exact Books of all his Receipts and payments by virtue of this Act, and a true and just account thereof shall render on oath to the Governor or Commander in Chief for the time being, the Council or the General Assembly, when by them or any of them thereunto required.

[CHAPTER 1194.]

[Chapter 1194 of Van Schaack, where the title only is printed.]

An Act for Raising and Collecting several arrears of Taxes laid by the several Acts therein mentioned.

[Passed, December 11, 1762.]

WHEREAS several sums of Money remain due, in Arrear, and unpaid, from the several and Respective Cities and Counties of this Colony hereafter mentioned, of the just, true and real Quota's of the said Cities and Counties which were Ordered to be Raised by Virtue of the following Acts, that is to Say, of one certain Act made and passed in the seventh Year of the Reign of his late Majesty King George the First, Entitled "An Act for Raising the sum of Five hundred Pounds for securing the Indians in his Majesty's Interest" By one other Act made and passed in the Ninth year of his said late Majesty's Reign Entitled "An Act for Raising the sum of Five hundred pounds to Encourage and Promote a Trade with the Remote Nations of Indians, and for securing the Five Nations to his Majesty's Interest; As also the sum of Three hundred and Twenty pounds three Shillings, and two pence three farthings, advanced by the several Persons therein named for Repairing the Fortifications on the Frontiers." By one other Act made and passed in the Ninth year of the Reign of his said late Majesty, Entitled "An Act for Raising the Quantity of three thousand Ounces of Plate for the effectual sinking and Cancelling Bills of Credit to that value." By one other Act made and passed in the Ninth year of the Reign of his said late Majesty Entitled "An Act for Raising and Levying the Quantity of Five thousand three hundred and fifty Ounces of Plate for the uses therein mentioned, and for striking and making Bills of Credit of that Value" By one other Act made and passed in the Tenth year of the Reign of his said late Majesty Entitled "An Act for raising and Levying the sum of six thousand six hundred and Thirty Pounds for the supplying the

"Deficiencies of his Majesty's Revenue, and for the several uses  
"and purposes therein mentioned and for making of Bills of  
"Credit to be issued for that Value" By one other Act made  
and passed in the Twelfth year of the Reign of his said late  
Majesty Entitled "An Act for discharging a Debt to the late  
"Agents for this Colony at the Court of Great Britain, for finish-  
"ing and Compleating the Buildings in his Majesty's Fort  
"George; For borrowing certain sums for these purposes out  
"of the Funds therein mentioned; and for laying a Tax to make  
"good such part thereof as stands appropriated to particular  
"uses." By one other Act made and passed in the said twelfth  
year of the Reign of his said late Majesty Entitled "An Act  
"granting to his Majesty the Duties and Taxes therein men-  
"tioned for supporting his Government in the Colony of New  
"York from the first day of July One thousand seven hundred  
"and twenty six to the First day of July One thousand seven  
"hundred and twenty Nine" By one other act made and passed  
in the second year of the Reign of his late Majesty King George  
the second Entitled "An Act for Raising and Levying the sum  
"of Two hundred pounds for Repairing the Barracks in his  
"Majesty's Fort George in the City of New York" By one  
other Act made and passed in the Third year of the  
Reign of his said late Majesty King George the second  
Entitled "An Act for Raising and Levying the sum of Seven  
"hundred and thirty Pounds for the uses therein men-  
"tioned, for borrowing part thereof, and for appointing an  
"Agent at the Court of Great Britain" By one other Act made  
and passed in the Nineteenth year of the Reign of his said late  
Majesty King George the Second Entitled "An Act for Raising a  
"Supply of the sum of Thirteen thousand Pounds by a Tax on  
"Estates Real and Personal for the more effectual Fortifying  
"this Colony; For the Emitting Bills of Credit for the like sum,  
"for the immediate answering the necessary Services; and for  
"Sinking and Cancelling the said Bills at the several short  
"Periods therein mentioned" By one other Act made and passed  
in the Twentieth year of the Reign of his said late Majesty King  
George the Second Entitled "An Act for Raising a Supply of  
"Forty Thousand pounds by a Tax on Estates Real and Personal,  
"for Carrying on an Expedition against the French in Canada,  
"for Emitting Bills of Credit for The like sum, and for sinking

"and Cancelling the said Bills in short Periods, and for other purposes therein mentioned" And by one other Act made and passed in the Twenty first year of the Reign of his said late Majesty King George the Second Entitled "An Act for Raising a Supply of Twenty Eight thousand Pounds, by a Tax on Estates Real and Personal for defraying the expence of several Services necessary for the defence of the Frontiers and annoyance of the Enemy; for Emitting Bills of Credit for the like sum, and for sinking and Cancelling the said Bills in short Periods."

AND WHEREAS upon a Settlement of the Accounts of the Monies ordered to be Raised in pursuance of the aforesaid several Acts, it appears that there is still due, unpaid, and in arrear from the following several and Respective Cities and Counties of this Colony the several Sums following, That is to say, From the City and County of New York in part of their proportion of the monies Ordered to be Raised by the Acts above mentioned to have been made and passed in the Ninth Tenth and Twelfth years of the Reign of his said late Majesty King George the first, and in the Second, Third, Nineteenth, Twentieth, and Twenty first years of the Reign of his said late Majesty King George the Second, the just, true, and full sum of Two thousand Eight hundred and five Pounds fourteen Shillings and four pence three farthings. From the City and County of Albany in part of their Proportion of the monies Ordered to be Raised by the Act above mentioned to have been made and passed in the Twelfth year of the Reign of his said late Majesty King George the First, and the acts above mentioned made and passed in the Nineteenth and Twentieth years of the Reign of his said late Majesty King George the second, the just true and full sum of Two thousand five hundred and ninety-four pounds. From KINGS COUNTY in part of their proportion of the Monies Ordered to be Raised by the act above mentioned to have been made and passed in the Twenty first year of the Reign of his said late Majesty King George the second the just, true and full sum of Eighteen pounds ten shillings and four pence. From QUEENS COUNTY in part of their proportion of the Monies ordered to be Raised by Virtue of the Acts above mentioned to have been made and passed in the Seventh, Ninth, Tenth, and Twelfth years of the Reign of his said late Majesty King George the first, and in the second year of his said late Majesty King George the second,

the just true and full sum of Two hundred and fourteen pounds one Shilling and five pence three farthings. FROM SUFFOLK COUNTY in part of their proportion of the Monies Ordered to be Raised by Virtue of the Acts above mentioned to have been made and passed in the Ninth, Tenth, and Twelfth years of the Reign of his said late Majesty King George the First the full, just, and true sum of Twenty six pounds fifteen shillings and five pence half penny. FROM RICHMOND COUNTY in part of their proportion of the Monies Ordered to be Raised in pursuance of the Acts above mentioned to have been made and passed in the Seventh, Ninth, Tenth, and Twelfth years of the Reign of his said late Majesty King George the First, the just, full, and true sum of Fifteen pounds fourteen shillings and one half penny. FROM WESTCHESTER COUNTY in part of their proportion of the Monies Ordered to be Raised by Virtue of the Acts above mentioned to have been made and passed in the Ninth, Tenth, and Twelfth years of the Reign of his said late Majesty King George the First, and in the Twenty first year of the Reign of his said late Majesty King George the Second the full, just, and true sum of One hundred and thirty two pounds fifteen shillings and one farthing. FROM ULSTER COUNTY in part of their proportion of the Monies Ordered to be Raised in pursuance of the Acts above mentioned to have been made and passed in the Ninth and Twelfth years of the Reign of his said late Majesty King George the first, and in the Third, Nineteenth, Twentieth, and Twenty first Years of the Reign of his said late Majesty King George the Second, the full, just, and True sum of One Thousand five hundred and Twenty two pounds, six Shillings and four pence three farthings. And from ORANGE COUNTY in part of their proportion of the Monies Ordered to be raised in pursuance of the Acts above mentioned to have been made and passed in the Seventh, Ninth, Tenth and Twelfth years of the Reign of his said late Majesty King George the First, and in the Twentieth and Twenty first years of the Reign of his said late Majesty King George the Second the full, just, and True sum of three hundred and Eighty six pounds three shillings and three pence three farthings. AND WHEREAS the aforesaid several and Respective Sums of Money which appear from the above mentioned Settlement of the Publick Accounts to be Justly due, owing, unpaid and in arrear from the several and Respective Cities and Counties aforesaid on Account of the several and



Respective Acts herein before mentioned were by the said Acts Chiefly to be applyed in Exchange for Bills of Credit Emitted by the aforesaid several Acts, in Order that the said Bills should be called in and Cancelled But by Reason of the said Deficiencies many of the said Bills still continue in Circulation contrary to the Intention of the Legislature at the time of their being Issued, and tend to the Detriment and Injury of the Publick Credit of this Colony; for Remedy whereof

BE IT ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby Enacted by the authority of the same, that the said several and Respective sums of Money which Appear from the Settlement of the publick Accounts as aforesaid, and from the Schedule hereunto annexed, to be justly due, owing, unpaid, and in arrear from the several and Respective Cities and Counties aforesaid, in Consequence of the several and Respective acts aforesaid, shall be Raised Assessed and Levied by a Publick Tax upon the Estates Real and Personal of all and every the Freeholders, Inhabitants and Residents within the several and Respective Cities and Counties aforesaid (Except as herein after is Excepted) according to the several proportions which are still due unpaid and in arrear from the said several and respective Cities and Counties, and shall be Collected Gathered in and paid unto the Treasurer of this Colony, one half thereof by the first Tuesday in November which will be in the year of our Lord One thousand seven Hundred and Sixty three, and the other half thereof by the first Tuesday in November which will be in the year of our Lord One thousand seven hundred and Sixty four.

AND TO THE END that the assessments may be made in such Convenient time by the several assessors appointed for the several and Respective Cities and Counties of this Colony, and that the several sums of Money which are now due, unpaid and in arrear from the said several and respective Cities and Counties may be Collected Gathered in and paid in the manner and by the time before mentioned, and prefixed. BE IT FURTHER ENACTED by the Authority aforesaid that the Mayor Recorder and Aldermen of the City and County of New York or the Major part of them for the time being shall meet and Assemble at the City Hall in the said City on the first Tuesday in June in each of the two years last above mentioned, and shall then and there Issue their Warrants to the Several and Respective Assessors of

the said City and County to take a true and exact account of all the Estates Real and Personal of all the Freeholders INHABITANTS and Residents within the several Wards of the said City and County for which they at the time of Issuing such Warrants shall be Assessors and a true equal and Impartial Assessment to make and the Same, at a day in the said warrants to be appointed by the said Mayor Recorder and aldermen or the Major part of them then met to Exhibit, And when the said assessments are by the said Assessors Completed and a full account of the same Truly Cast up according to the pound value of the said Estates so that what each and every of the said Freeholders Inhabitants and Residents within the said City and County are to pay towards discharging the said sum of Two Thousand Eight hundred and five pounds fourteen shillings and four pence three farthings, which is still due unpaid and in arrear from the said City and County be known, manifest and made apparent, that then the said Mayor Recorder and Aldermen or the Major part of them, shall Issue their Warrants to the several and Respective Collectors within the said City and County to Collect the said sum or sums of Money and the same to pay unto the Treasurer of this Colony on or before the said first Tuesday of November Yearly during the two Years aforesaid.

AND that the assessments may be truly equally and impartially made and done BE IT ENACTED by the authority aforesaid that every assessor that shall be chosen and elected within the said City and County of New York during the two years aforesaid shall before he enters upon the performance of the Duty and Service required of him by this Act take an Oath upon the holy Evangelists of Almighty God in the words following to wit " I A: B, do swear that I will well and truly and impartially "and in due proportion according to the best of my Skill, Knowledge, and Understanding assess and Rate all the Freeholders, "Inhabitants, and Residents of the Ward for which I am chosen "Assessor"; which Oath the said Mayor, Recorder, and Aldermen, or the Major part of them so met, are hereby empowered required and directed to administer.

AND for the Effectual assessing, Levying, Collecting and paying the several and Respective sums of Money which are still due, unpaid, and in arrear from the City and County of Albany, and from the several and respective other Counties aforesaid on Account of the several Acts before mentioned. BE IT FUR-

THE ENACTED BY THE AUTHORITY AFORESAID that the Supervisors of the said City and County of Albany, and the Supervisors of all the other several and Respective Counties aforesaid, or the Major part of them Respectively, shall Meet and Assemble together on the first Tuesday in June Yearly during the two years aforesaid, at which times, the Majority of the said Supervisors Respectively then Met, shall cause the respective sums of Money which are still due, unpaid and in arrear from the said City and County of Albany, and from the several and Respective other Counties aforesaid, on account of the several Acts herein before mentioned to be Raised assessed Levied and Collected in the same manner as the other Contingent and necessary Charges of the said City and Counties respectively are. And the several and respective Collectors are hereby directed to pay the said several and respective sums of money so to be Raised assessed and Collected, unto the respective County Treasurers on or before the first Tuesday in October Yearly during the two Years aforesaid, And each and every of the said County Treasurers are hereby Ordered, Directed and Required, to pay the same unto the Treasurer of this Colony on or before the first Tuesday in November then next following, during the said Term.

AND TO THE END that there may be no failure in Assessing Levying and Paying the said several and respective sums still due, unpaid and in arrear from the said several and respective Cities and Counties of this Colony. BE IT FURTHER ENACTED BY THE AUTHORITY AFORESAID, That if the said Mayor, Recorder, Aldermen, Supervisors, Assessors, Collectors, or County Treasurers, within this Colony or any or either of them, shall deny, Refuse, Neglect or delay, to do, perform, and Execute all or any of the powers Duties and authorities by this Act required of him or them to be done, and shall be thereof Lawfully Convicted, he or they so offending shall respectively forfeit and pay the sum of Fifty Pounds to be sued for and recovered by the Treasurer of this Colony in the Supreme Court, with full Costs of Suit, which said Forfeiture shall be applied to and for the Support of his Majesty's Government in this Colony by Act or Acts hereafter to be passed for that purpose.

AND BE IT FURTHER ENACTED BY THE AUTHORITY AFORESAID that in Case any of the Collectors Shall neglect or delay to make their respective Payments to the respective County Treasurers for the space of three Months next after the

times appointed by this Act the said County Treasurers shall be and they, and each and every of them are hereby Enabled, directed and required to Commence Actions in their own Names respectively for the said sum or sums of Money or such part thereof as shall be then unpaid in the County Court where such default shall happen, and prosecute the same to Effect: And in Case any of the respective County Treasurers shall Neglect their respective Duties herein, All such sum or sums of Money shall be deemed taken and Esteemed to be in their hands respectively, and they shall be Charged therewith as having Received the same by the Treasurer of this Colony, who shall be and hereby is Enabled, Directed and Required in his own Name to Commence Actions for the same in the Supreme Court of this Colony within one Month after such Default made by any of the Respective County Treasurers and prosecute the same to Effect, And in case the Treasurer of this Colony shall Neglect his Duty herein, all such sum or sums of Money so unpaid shall be deemed taken and Esteemed to be in his hands and he shall be Chargeable therewith as if he had actually received the same. And in Case any of the Collectors of the City and County of New York shall Neglect or Delay making their payments of the aforesaid Taxes or arrears for one Month after the Times directed by this Act, the said Treasurer shall be and hereby is Enabled, Directed, & Required in his own Name to Commence Actions against such Defaulter or Defaulters and prosecute the same to Effect, And in Default of such Prosecution the Money so unpaid shall be deemed taken and Esteemed to be in his hands as if he had Actually Received the same, any Law usage or Custom to the Contrary thereof in any wise Notwithstanding.

AND BE IT FURTHER ENACTED BY THE AUTHORITY AFORESAID that Over and above the said several and respective Sums Ordered to be Raised by this Act, there shall be Raised, Levied, Collected and paid to each and every of the Collectors and County Treasurers within this Colony for Collecting, Receiving, and Paying the Monies Ordered to be Raised by this Act, such Salaries, Perquisites, and Profits as are directed to be Raised and Levied by An Act passed in the thirty third year of the Reign of his late Majesty King George the Second, Entitled "An Act for levying Paying and Cloathing Two thousand Six hundred and Eighty effective MEN Officers included, for forming an Army of Twenty thousand Men with the Forces of the

"Neighbouring Colonies to reduce in Conjunction with his Majesty's regular Troops, Montreal and other posts belonging to the French in Canada, for Emitting Bills of Credit for the sum of Sixty thousand pounds, and for sinking and Cancelling the said Bills in short Periods."

AND BE IT FURTHER ENACTED BY THE AUTHORITY AFORESAID, That if any Person or Persons within this Colony shall Refuse Neglect or Delay to pay his, her, or their Assessment Rate or proportion of the aforesaid Tax pursuant to the Warrant or Warrants delivered to the Collector or Collectors for that purpose, It shall and may be lawfull for the said Collectors or any or either of them, and they and Each and Every of them are hereby Enjoined and required to Distrain the Goods and Chatties of such Person or Persons so Refusing Neglecting or Delaying to pay his her or their proportion of the Tax aforesaid, and the Distress or Distresses so taken to Detain and keep for the space of Three Days at the Costs and Charges of the Owner or Owners thereof, And if the said Owner or Owners do not pay the said sum or sums of Money so Distrained for together with the Costs and Charges aforesaid within the space of the aforesaid three Days then the said Distress or Distresses to be sold by the Collector or Collectors by Publick Auction Outcry or Vendue (giving Publick Notice thereof by Publick Advertizement at least two Days before such sale) for the payment of the said Sum or Sums of Money with the Costs and Charges aforesaid, And the overplus (if any be) over and above the sum so assessed and the Costs and Charges of taking keeping and selling the said Distress or Distresses to be immediately returned to the Owner or Owners thereof.

AND BE IT FURTHER ENACTED BY THE AUTHORITY AFORESAID that when the said Several and Respective Sums of Money directed to be Raised Collected and paid by Virtue of this Act, shall be Collected, gathered in and paid unto the Treasurer of this Colony, so much thereof shall be by him applied in Exchange for the several Bills of Credit which have been Emitted by the aforesaid several Acts, as was originally Destined for that purpose, that the said Bills may be effectually sunk and Cancelled in the manner directed by an Act Entitled "An Act for the more effectual cancelling the Bills of Credit of this Colony" passed in the twenty first year of the Reign of his late Majesty King George the Second, And all the Residue be



shall bring to the respective Funds on which the Respective Arrears have happened, and shall remain in the Treasury until the same be disposed of by Act or Acts hereafter to be passed for that purpose.

AND WHEREAS It would be unjust that the said several and respective sums of Money which are still due, unpaid and in arrear from the Several and respective Cities and Counties before mentioned should be Raised upon the City or County where the same remain unpaid and due, if discovery could be made how the same was occasioned.

BE IT THEREFORE ENACTED BY THE AUTHORITY AFORESAID. That the said Mayor Recorder and Aldermen of the City of New York and the several and Respective Supervisors of the aforesaid several and respective Counties shall, and they are hereby Enabled Directed and REQUIRED, at any time after the Publication of this Act, and before they Cause any part of the aforesaid Sums to be Raised, Diligently and Strictly to Examine how such Deficiencies or arrears have happened, and if it shall appear that any Particular Person, Collector, County Treasurer Ward, Township, Precinct, or Mannor in any of the said Respective Cities and Counties (the County of Orange as to the Method prescribed in this Clause Excepted) have been deficient in Collecting and Paying any of their Quota's or Shares of the aforesaid several and respective Taxes laid by the several before mentioned Acts on which the aforesaid arrearages have arisen, such Deficiency or Deficiencies so discovered shall be laid on Levied and Collected from such particular Person, Collector, County Treasurer Ward Township, Precinct, or Mannor, where the said Deficiency or Deficiencies did so happen, and in Case of failure of Payment, the Respective Collectors are hereby Enabled and required to Distrain for the same in manner before directed, any thing in this Act before contained to the Contrary in any wise Notwithstanding.

AND BE IT FURTHER ENACTED BY THE AUTHORITY AFORESAID that the Treasurer shall and he is hereby directed and Required to keep exact Books of the Sum or Sums of Money which he shall Receive by Virtue of this Act, and true and distinct Accounts thereof shall Render on Oath to the Governor or Commander in Chief for the time being, the Council, or the General Assembly, when by them, or any of them, he shall be thereunto Required.

**SCHEDULE referred to in the Body of the foregoing Act, being a short View of the Arrears of Taxes due from the several and respective Cities and Counties of this Colony on the several Acts in the foregoing Act mentioned vizt.**

ACTS WHEN PASSED.	Sums raised.	New York.	Albany.	Kings.	Queens.	Suffolk.	Richmond.	Westchester.	Ulster.	Orange.	Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
7th G. 1. 1784.....	260 .. ..	.. ..	.. ..	.. ..	.. 6 2½	.. ..	.. 15 4½	.. ..	.. ..	2 1 4½	4 2 11¼
24th G. 1. 1783.....	3 0 3 3¼	30 5 9½	.. ..	.. ..	28 8 7½	.. ..	.. 7 7	.. ..	1 5 6¼	9 14 2	64 1 9
9th G. 1. 1782.....	1276 .. ..	49 18 5¼	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	.. 7½	2 2 4	50 1 5¼
9th G. 1. 1782.....	2 40 .. ..	126 14 4½	.. ..	.. 13 1¼	.. ..	.. ..	1 18 5½	15 1 4½	.. ..	5 .. 6½	149 7 11¼
10th G. 1. 1784.....	6430 .. ..	273 4 7½	.. ..	13 19 6¼	110 17 ..	10 6 8	10 6 8	27 9 2	.. ..	19 9 14	471 5 6½
12th G. 1. 1786.....	2660 .. ..	189 11 5¼	.. ..	9 16 1	29 1 2½	1 17 1¼	1 17 1¼	24 1 2½	1 18 10¼	6 .. 11	272 5 9
12th G. 1. 1786.....	231 17 5¼	24 2 2¼	13 2 11	2 10 10½	20 2 4¼	.. 2 1	.. 2 1	2 19 1½	.. ..	6 18 10	76 5 5
2d G. 2. 1783.....	260 .. ..	.. ..	.. ..	.. ..	25 .. ..	.. ..	.. ..	.. ..	.. ..	.. ..	26 .. ..
2d G. 2. 1783.....	780 .. ..	26 6 ½	.. ..	.. ..	.. ..	.. ..	.. ..	.. ..	4 .. ..	.. ..	16 2 6¼
19th G. 2. 1746.....	19400 .. ..	.. ..	1868 11 4½	.. ..	.. ..	.. ..	.. ..	.. ..	200 13 9½	.. ..	2200 19 2
20th G. 2. 1746.....	40000 .. ..	.. ..	714 5 8½	.. ..	.. ..	.. ..	.. ..	.. ..	484 19 19	97 2 2	1263 19 5½
21st G. 2. 1747.....	16200 .. ..	2106 7 16¼	.. ..	19 10 4	.. ..	.. ..	.. ..	24 9 4	600 13 9	241 8 19½	2799 10 1¼
		2205 14 4¼	2661 .. ..	18 10 4	214 1 0½	26 19 5½	15 14 0½	120 15 6¼	1200 6 6¼	266 2 8¼	7716 .. 5¼

## [CHAPTER 1195.]

[Chapter 1196 of Van Schaack, where the title only is printed.]

An Act for raising Six Thousand Pounds  
by way of Lottery for the purposes therein  
mentioned.

[Passed, December 11, 1762.]

WHEREAS from the many Various and unusual Expences this Colony has been obliged to be and still is at in this Just and Necessary War, it is become expedient to devise such Methods of Raising Money to supply the Exigencies of the Government as will not increase or add to the Load of Taxes this Colony already Labours under, AND WHEREAS it was judged necessary by the Legislature that a Light-House should be Erected on Sandy Hook for the safety of Navigation, and the sum of three thousand pounds raised for that purpose in Virtue of An Act passed in the first year of his Majesty's Reign not being sufficient to defray the Expences of purchasing the Land and building the Light-House which from the situation of the place will cost a much greater sum than was at first judged sufficient for that purpose, and the General Assembly is Willing to Grant the further Aid of Three thousand Pounds to compleat the same and render it as extensively useful as was at first intended.

Be it therefore Enacted by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same, that John Cruger Philip Livingston Leonard Lispenard and William Bayard Esquires or the Major part of them shall be and Hereby are fully Empowered and Authorized to Erect and Establish two Lotteries to Raise the sum of Three thousand pounds and no more by each of them, and shall have full Power to Employ under them fit Persons to sell the Ticketts and to Manage the Lotteries which Persons shall be allowed for their Trouble in Managing the said Lotteries Four hundred pounds and shall give security in the same manner and Proportion as was Directed by an Act Entitled An Act for Raising by a Publick Lottery for this Colony the sum of One Thousand One hundred and Twenty Five Pounds Towards Erecting a new Goal in the City of New York passed in the Thirtieth year of the Reign of his late Majesty King George the second and shall Respectively take an Oath to the same Purpose as in the

said Act was provided and Directed for the true and faithful Discharge of their Trusts Respectively.

AND BE IT FURTHER ENACTED by the Authority Aforesaid that the said sum of six thousand Pounds so to be raised by said Lotteries shall by the Managers thereof be paid to the Treasurer of this Colony for the time being, who is hereby Authorized directed and required to pay to the said John Cruger, Philip Livingston, Leonard Lispenard and William Bayard or the Major part of them such sums, not Exceeding the half of the Clear profit arising from the said Lotteries, as shall by them be found Necessary to finish and Compleat the Light House aforesaid, and their Receipts to the Treasurer shall be to him a full discharge for so much as shall therein be Specified and what ever Monies shall be remaining of the one half of the Clear Profit arising from the said Lotteries or either of them after the whole Costs and Charges of the Light House shall be paid and also the other full half clear Profits arising from the said Lotteries shall remain in the Hands of the Treasurer til applied by some future act or acts to be passed for that purpose.

AND BE IT further Enacted by the same Authority that the said John Cruger, Philip Livingston, Leonard Lispenard and William Bayard shall account on Oath for all the Monies that shall come to their Hands by Virtue of this Act, to the Governor or Commander in Chief for the time being, the Council or the General Assembly, when by them or any of them thereunto required.

AND BE It further Enacted by the same Authority that if the Lotteries by this Act directed shall not be drawn within six months after the first advertising the same respectively, that then the Monies received by the said Managers for Tickets sold by Virtue of this Act shall be repaid to the Possessor or Possessors of the said Ticket or Tickets.

AND BE IT FURTHER ENACTED by the same Authority that if any Person or Persons, shall forge or Counterfeit any Ticket or Tickets to be made in Virtue of this Act or alter any of the Numbers thereof, or bring any forged or Counterfeit Ticket or Tickets whereof the Number is Altered, knowing them to be such, to the said Managers or either of them, to the Intent to Defraud the Colony, or any adventurer in the said Lottery every such Person or Persons, (being thereof Convicted in due form of Law) shall be adjudged a Felon, and shall suffer death as in Cases of Felony, without benefit of Clergy.

## [CHAPTER 1196.]

[Chapter 1196 of Van Schaack, where the act is printed in full. Continued by chapter 1242. Amended by chapter 1403.]

An Act for the Punishment of Persons in the City of New York who shall by false pretences Obtain any Goods Wares or Merchandizes from any Person with Intent to cheat or defraud such Person.

[Passed, December 11, 1763.]

WHEREAS divers Wicked People, have heretofore made a Practice of Going about to Shops in the City of New York and taking up Goods and Effects in the Name of other Persons without the Knowledge or Consent of such Person in whose Name such Goods and Effects were taken up, For the Punishment of such offences that shall hereafter be Committed.

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly, And it is hereby Enacted by the Authority of the same, That all Persons who from and after the Publication of this Act knowingly and Designedly by false pretence or pretences shall Obtain from any Person Goods Wares or Merchandizes with Intent to Cheat or defraud any Person of the same shall be Deemed Offenders against Law and the Publick Peace and shall be punished on Conviction as hereafter mentioned

AND BE IT ENACTED by the Authority aforesaid that the Mayor Recorder or any alderman of the City of New York upon any persons being charged on Oath with having Committed the Offences by this Act Intended to be punished shall and may Issue a Warrant for the apprehending such Offender and in case any Person so Charged as aforesaid and being Taken shall not forthwith give good and sufficient Bail for his or her appearance at the then next Court of Quarter Sessions of the Peace to be held for the said City and County of New York then and there to answer the Offence or Offences wherewith he or she shall be Charged, such Person so Charged shall be Committed to the Common Goal of the said City and County. And in case any Person shall be so Committed and being kept in the said Goal for the space of forty Eight Hours from and after such Commitment shall not give such good and sufficient Bail for his or her appearance at the then next General Sessions of the Peace to be



"the City of New York to chuse two Vestry men for each "respective Ward within the Said City" Made and passed in the Nineteenth Year of the Reign of his late Majesty King George the Second and the said Tax So to be made Shall be collected levied and Paid at the same time and in the same manner as the Tax for the Maintenance of the Minister and Poor of the Said City hath been accustomed into the hands of the Church Wardens of the Said City for the time being who are hereby required and directed to Pay the Same into the hands of the Chamberlain of the said City to be by him Paid as he shall be directed by Warrant or Warrants of the Said Mayor Aldermen and Commonalty in Common Council Convened for the Uses Aforesaid

AND BE IT FURTHER ENACTED by the same Authority that over and above the Sum of Fourteen hundred pounds to be levied and paid by Virtue of this Act the Sum of Three pence in the pound as a Reward to the Constables for their Extraordinary trouble shall be Assessed levied and Paid to the respective Constables for Collecting and Paying the Same and No more According to the true intent and meaning of this Act any thing herein or in any other act or acts contained to the Contrary hereof in any wise Notwithstanding

AND BE IT FURTHER ENACTED by the Authority Aforesaid That if the Said Mayor Recorder or Aldermen the Church-Wardens Vestry Men or Constables of the said City of New York Who are hereby Authorized Impowered and required to take effectual care that this Act be executed according TO the true intent and Meaning thereof or any one of them shall deny Refuse or delay to perform Execute or Comply with all or any of the Powers Authorities and Duties in this Act given and Required to be done and performed by them or either of them and thereof Shall be lawfully Convicted in any Court of Record within this Colony He or they so denying Refusing or delaying to perform the Duty as aforesaid shall Suffer Such pains and penalties by fine and Imprisonment as by the discretion of the Justices of the Said Court Shall be adjudged to be sued for and Recovered by the Person or Persons Aggrieved thereby or by any other Person or Persons who shall Sue for and prosecute the Same to Effect

AND BE IT FURTHER ENACTED by the Same Authority That if any Person or Persons Shall break or Willfully damage any of the Lamps now Erected or to be Erected within this City

He she or they so offending Shall forfeit the Sum of Twenty Pounds for every such offence to be levied by Warrant or Warrants under the hands and Seals of two or more of His Majesty's Justices of the Peace for the City and County of New York by distress and Sale of the offenders Goods on due Conviction upon the Oath of one or more Credible Witness or Witnesses Rendering the overplus if any be to the Owner or Owners And for want of such distress the offender or offenders Shall be Imprisoned, by Warrant under the hands and Seals of Said Justices Who are hereby required to Issue the Same, for the space of three Months Unless the Said forfeiture be Sooner paid to be Applied to and for the use and maintenance of the Said Lamps and paying of the said Watchmen

AND BE IT HEREBY FURTHER ENACTED that all Such Watchmen as shall be employed to Guard the SAID City and attending the Said Lamps Shall be under the Direction and Obey such Orders as they shall from time to time receive from the said Mayor Aldermen and Commonalty Any Custom Law or Usage to the Contrary hercof in any wise Notwithstanding.

#### [CHAPTER 1198.]

[Chapter 1198 of Van Schaack, where the act is printed in full. See chapter 670. Number of Brown further increased by chapter 1867.]

#### An Act to Increase the Number of Firemen within the City of New York

[Passed, December 11, 1762.]

WHEREAS by an Act Entitled "An Act for the better extinguishing of Fires that may happen within the City of New York" passed in the Eleventh Year of the Reign of His late Majesty King George the Second it is among other things Enacted that the Mayor Aldermen and Commonalty of the City of New York or the Major part of them in common Council Convened Shall Elect Nominate and Appoint a Sufficient number of Strong Able Discreet Honest and Sober Men willing to accept (not exceeding Forty two in Number out of the six Wards of the said City On the South Side of Fresh Water) to be the Firemen of the City of New York AND WHEREAS the Number of Fire Engines belonging to the Said City is greatly increased, and that the present Firemen are not Sufficient to Work the same

BE IT THEREFORE ENACTED by His Excellency the Governor the Council and the General Assembly and it is hereby

Enacted by the Authority of the same That the Mayor Aldermen and Commonalty of the City of New York or the major part of them in common Council Convened Shall with all convenient Speed (After the publication of this Act) Elect Nominate and Appoint Thirty Able Honest Sober Discreet Men (willing to accept) being Freemen of or Freeholders within the said City (to be added to the Number of the Firemen of the City of New York) In like manner as is directed by the Above Recited Act Entitled "An Act for the better Extinguishing of Fires that may "happen within the City of New York " who are hereby excused from the Several offices and Duties as the first mentioned firemen are by the above Recited Act, And be Liable to the Rule Order Ordinance and Regulations Fines AND Penalties as the first mentioned Firemen are liable and subject to.

AND IT IS HEREBY FURTHER ENACTED that the Mayor Aldermen and Commonalty or the Major part of them in common Council convened may displace any of the Firemen to be Appointed by this Act for default or Neglect of Duty and others Appoint in their Room and Stead from time to time and so often as they shall think Necessary

#### [CHAPTER 1199.]

[Chapter 1199 of Van Schuëck, where the act is printed in full.]

An Act to Prevent Transient Persons from Selling Goods at Vendue in the City and County of Albany and Counties of Westchester Richmond and Dutches.

[Passed, December 11, 1762.]

WHEREAS great Inconveniencies have arisen to the Inhabitants of the City and County of Albany and Counties of Westchester, Richmond and Dutches by Transient Persons coming into them, and Exposing Goods and Merchandizes to Sale at Vendue to the Great Detriment of the Inhabitants of the said City and Counties. For the Prevention whereof,

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same that if any Person or Persons whatsoever after the Publication of this Act shall Expose any Goods or Merchandizes to sale at Vendue Auction or out cry (Goods belonging to the Crown, Lands, Vessels, Goods and Effects of Deceased Persons, Goods taken in Execution, Household Goods, Utensils

for Husbandry, Horses, Cattle, Hogs, and Sheep only excepted) shall for every such Offence forfeit the sum of Ten pounds to be Levied by Warrant under the Hand and Seal of one of his Majesty's Justices of the Peace for the said City and Counties respectively by Distress and Sale of the Offenders Goods upon due Conviction upon Oath or upon the View of any one of such Justices of the Peace, rendering the overplus, if any be, to the Owner or Owners, and for want of such Distress the Offender shall be Imprisoned by Warrant from the said Justice who is hereby Impowered and Required to Issue such Warrant untill payment as aforesaid, which said Forfeiture or Forfeitures shall be paid into the Hands of the County Treasurer for the use of the Poor of the said County.

[CHAPTER 1200.]

[Chapter 1200 of Van Schaack, where the act is printed in full.]

An Act for the better Extinguishing of  
fires that may happen, Within the City of  
Albany.

[Passed, December 11. 1762.]

WHEREAS the Inhabitants of the City of Albany have at a very great Charge and Expence supplied themselves with two fire Engines, and various sorts of Poles Hooks Iron Chains Ropes Ladders and several other Tools and Instruments for the Extinguishing of fires, for the Management of which it is necessary that a sufficient Number of skilful Persons be appointed to have the Care, Management and working of the said Fire Engines and other Tools and Instruments for Extinguishing of Fires in Cases of such Casualty and Distress as may hereafter happen.

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly, And it is hereby Enacted by the Authority of the same, That with all Convenient speed after the Publication hereof it shall and may be Lawfull to and for the Mayor Recorder Aldermen and Commonalty of the City of Albany or the Major part of them in Common Council convened and they are hereby Required to Elect Nominate and Appoint a sufficient Number of Strong able Discreet Honest and Sober Men, willing to accept, not Exceeding Forty in Number out of the three several Wards of the Inhabitants being Freemen or Freeholders of the said City to have the Care Management Working and using the said Fire Engines and the other Tools

and Instruments for Extinguishing such Fires as may happen within the said City, which Persons so to be Elected Nominated and Appointed as aforesaid shall be called the Firemen of the City of Albany and are hereby Required to be ready at a call both by Night as well as by Day to Manage Work and use the fire Engines which now do or may hereafter belong to the said City and the other Tools and Instruments for Extinguishing of such Fires as may happen or break out in the said City.

AND in order to Compel and Oblige the Firemen so to be Elected Nominated or Appointed as aforesaid to be Diligent Industrious and Vigilant in the Execution and Discharge of their Office and Duty BE IT FURTHER ENACTED by the authority aforesaid that the Mayor Recorder Aldermen and Commonalty of the said City for the time being in Common Council assembled or the Major part of them are hereby authorized and Impowered to Remove and Displace all or any of the Fire men so as aforesaid to be Elected Nominated or appointed when and as often as they shall think fit and others in the Room or places of such as they shall Remove or Displace to Elect, Nominate or appoint and put in, and so often from time to time as they the Mayor Recorder Aldermen and Commonalty aforesaid for the time being in manner aforesaid shall see Convenient.

AND BE IT FURTHER ENACTED by the authority aforesaid that the Persons so to be Elected Nominated or Appointed Firemen as aforesaid and each and every of them from time to time during their Continuance of being in the office of Firemen and no longer shall and are hereby declared to be freed Exempted and Priviledged from the several Offices of Constable and Surveyor of the Highways and of and from the being put into or serving upon any Juries or Inquest, and of and from being Compellable to serve in the Militia Except in Cases of Invasion or other Imminent danger, and the Names of such Persons to be Elected Nominated or appointed Firemen by virtue hereof from time to time shall be Registered and Entered with the Clerk of the Peace for the said City, and if at any time after the Publication of this act and the Electing Nominating and appointing Firemen by Virtue hereof any such Person or Persons Elected or appointed Firemen as aforesaid shall be Chosen Elected or appointed into any of the said Offices or Returned Required or appointed to serve in any Jury or Inquest or the Militia, Except as before Excepted or be disquieted or disturbed



by Reason thereof that then such Person or Persons producing a Testimonial or Certificate under the Hand of the Mayor Recorder or any one alderman of the said City for the time being of such his Election Nomination or Appointment to the Person or Persons by whom he shall be so Elected or appointed or by or before whom he shall be summoned Returned or required to serve Execute or hold any of the said Offices or Duties shall be absolutely Discharged from the same, and such Election Nomination Return and appointment shall be utterly void and of none Effect any Order Custom Law or Practice to the Contrary hereof in any wise Notwithstanding, provided always that Nothing herein Contained shall be Construed to Exempt or Excuse any such Person or Persons from the Duties of their respective offices who before their being appointed Firemen were is or shall be in the office of Constable, Surveyor of the Highway or summoned on Juries.

AND BE IT FURTHER ENACTED by the authority aforesaid that it shall and may be Lawfull to and for the Mayor aldermen and Commonalty of the said City for the time being, or the Major part of them, met as aforesaid to make Establish and Ordain, such Rules, Orders Ordinances and Regulations in Respect of the Government, Conduct, Duty and Behaviour of the Persons, from time to time to be by them Elected Nominated or appointed Firemen by Virtue of this act, in the Working, Manageing and frequent Exercising Trying and using of the same Fire Engines Tools and other Instruments and to impose and Establish such Reasonable Fines Penalties and Forfeitures upon them or any of them for Default or Neglect of the Duties, Businesses and Services thereby to be Enjoyed or Required from them, as to the Mayor aldermen and Commonalty of the same City for the Time being, or the Major part of them, met as aforesaid shall from time to time think meet and Convenient

#### [CHAPTER 1201]

[Chapter 1201 of Van Schaack, where the title only is printed. Expired January 1, 1764.]

#### An Act for the better Regulating the Taxation of Estates in Suffolk County.

[Passed, December 11, 1762.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly, and it is hereby Enacted by the

Authority of the same, That from and after the Publication of this Act each respective Town Manor or Precinct within said County shall be and hereby are Enabled to Choose and Elect at their Annual Meeting for the Choice of Town officers such and so many persons being Freeholders to be Assessors for the respective Towns Manors or Precincts as the Majority of the Freeholders then Assembled shall Judge Necessary not Exceeding four for each respective Town Manor or Precinct, which assessors so Chosen and Elected shall each of them before they enter on the Duty of their Office take an Oath, or if Quakers, an Affirmation to the following Effect to wit, That they shall and will well and Truly Equally and Impartially according to the best of their Knowledge Skill and Judgment Assess all the whole Real and personal Estates of all the Freeholders and Inhabitants of the respective Places for which they shall be chosen Assessors and of all such as have Estates there and not Residing therein, and that they shall and will Carefully according to the best of their Skill and Understanding Compute the full Value of every such Estate, and shall make out a True and Exact List of all the Names of the Freeholders and Inhabitants of the Place for which they shall be Chosen Assessors and of all such who have Estates therein and not Residing there, and against the Name of every such Person shall set down the Value of all his or her whole Estate Real and Personal as high as they can Discover the same setting down for every Hundred Pounds real Value four Pounds and in that proportion for a Greater or Lesser Sum So help you God.

AND BE IT ENACTED by the Authority aforesaid that the aforesaid Collectors After they have Completed their Lists shall deliver them unto the Supervisors of the said County or unto their Clerk on or before the First Tuesday in June next after their said Election, from the sum Total of which assessment Lists so brought in and Delivered to the Supervisors as aforesaid from the several and respective Towns Manors and Precincts for which they are respectively Chosen they the said Supervisors shall exactly Compute what each pound of the said sum Total is or ought to be Charged with of the sum or sums which are from time to time, to be Raised on the said County; which having found, they shall then add in every of the said Lists over against each Persons Name, and the sum at which his or her Estate is Assessed the particular sum which his or her Estate is

Rated at or Charged with of what is then to be Raised on the said County adding thereto at what Rate per Pound the Computation is made, which being done the said Supervisors shall Transmit the said Lists so Completed unto the Collector of the respective Towns Manors and Precincts from which the said Lists were brought with warrants under their Hands and Seals thereunto annexed, Commanding the said Collectors respectively, to Collect of and from all and every the Person and Persons contained in the said Lists, their Executors or Administrators the several and respective sums at which their Estates are Rated with power to Distrain for the same, in case any Person or Persons shall Refuse or Neglect to pay what their Estates are, so Rated at and Directing the said Collectors to pay all the said sum or Sums of Money so Collected according to the Directions of the several Act or Acts by which the same are or may be laid on the said County, any thing Contained in any of the acts of this Colony to the Contrary hereof Notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any assessor or assessors Chosen and Elected by Virtue of this Act shall Either Refuse to take the Charge upon him or them or having Accepted the same shall Neglect his or their Duty therein each so refusing or Neglecting shall respectively forfeit the sum of Five Pounds to be Recovered by the Supervisors of the said County or any two of them, with full Costs of Suit before any one of his Majesty's Justices of the Peace for the said County and be applied towards paying the necessary and Contingent Charges of the said County in such manner as the Supervisors shall think proper, And the said Assessment Lists made by such as shall and do Except of the same and do their duty therein shall be as good and Effectual as if all the Assessors Chosen, Elected, and Qualified as aforesaid had Joined therein.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if there be any Landed Estates lying within any of the said Towns Mannors or Precincts whereon no Persons are Resident and no moveable Effects thereon, whereof Distress can be made, then it shall be Lawfull for the Collector or Collectors of such Town Mannor or Precinct wherein such Landed Estates do so lye and are hereby Authorized and Impowered to Enter on such Lands and Cut and Carry off so much of the Timber or Grass growing or being thereon as will be sufficient to pay what

the said Estate or Estates is or shall be Rated at, with all Costs and Charges arising thereon, any Law Usage or Custom to the Contrary Notwithstanding.

BE IT FURTHER ENACTED by the Authority aforesaid that this Act shall Continue and be in full Force from the Publication hereof until the first day of January which will be in the year of Our Lord One thousand seven hundred and sixty four, and no Longer.

[CHAPTER 1202.]

[Chapter 1202 of Van Schaack, where the title only is printed. Expired January 1, 1764. Provided for by chapter 1254.]

An Act for the more Equal Taxation of Estates in Ulster County.

[Passed, December 11, 1762.]

WHEREAS the Taxing, Rating and assessing heretofore made by the assessors in the County of Ulster, hath not been Equal, and in due proportion, according to the Real and Personal Estates which the Freeholders and Inhabitants of said County do Possess: and Enjoy: for the Remediying whereof.

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, That the Supervisors of the said County, or the Majority of them shall at their Annual meeting or Meetings, Issue out their Warrants Commanding the Assessors of each respective Town, Mannor, and Precinct, in the said County, for the time Being to meet and assemble together on a Certain Day and place, then & there to Concert Agree upon and Settle by a Majority of Voices certain Rule or Plan to calculate the true Value of the Real and Personal Estates within said County, and then the said Assessors, are to proceed to Rate all the Estates Real and Personal of all the Freeholders and Inhabitants of the several Towns manors and Precincts, for which they are Chosen or appointed respectively, and Return at such Time and Place as by the said Warrant shall be directed, a List under their Hands of every Persons Name, with the Sum or Sums annexed, they shall in pursuance of this Act, Rate Each Person at, and the several assessors before they enter upon the Duties of their Offices shall each of them take the following Oath, before any of the Justices of the Peace for said County, who are hereby respectively Authorized and Required to administer such oath viz't

I A. B. Do swear on the Holy Evangelists of Almighty God, That I will Return a List according to the Best of my Knowledge, Containing the Names of all the Freeholders and Inhabitants within the District for which I am Chosen or appointed Assessor, and that I shall and will well and Truly Equally and Impartially and in due proportion according to the best of my skill and understanding Rate all the whole Estates Real and personal (the unimproved Land Excepted) of all the Freeholders and Inhabitants of the Place for which I am Chosen or appointed Assessor; and that I will Carefully, according to the best of my skill and Understanding, Compute the full Value of every such Estate without any Deduction for Debt, or supposed Debts, or Incumbrances, and against the Name of every such Person, will set down the Value of all his or her whole Estate Real and Personal, as Nigh as I can Discover the same and set down for each Hundred pounds Real value, Ten Pounds, and in that Proportion, for a greater or Lesser sum, so help me God.

AND BE IT FURTHER ENACTED by the same Authority, that the said Supervisors shall make the Quota of each respective Place, according to the Total sum of each List Returned as aforesaid, and not otherwise, and that the Clerk of the Supervisors shall Transcribe each List, and add to each Persons Rate the Sum or proportion each Person is to pay of what the Supervisors find the said County Chargeable with, and when the said Lists are Completed, the said Supervisors or the Greater Number of them, are hereby Required to Issue their Warrants, Commanding the Collector, or Collectors of each Town, Mannor, or Precinct, to Collect and pay the same, as by the Warrant shall be Directed.

AND BE IT FURTHER ENACTED by the Authority aforesaid that every Assessor or Assessors, who shall or may Neglect, Delay, or Refuse to perform the Duty Required of him or them by this Act, shall forfeit the sum of Five Pounds, which forfeitures shall be sued for and Recovered with Costs of Suit, by any one of the Supervisors of said County, before any one of his Majesty's Justices of the Peace within the said County which Forfeiture so Recovered, shall be Lodged in the Hands of the County Treasurer, and be applied by the Supervisors towards paying the Contingent and Necessary Charges of said County. This Act to be in full force from the first day of January One Thousand seven hundred and Sixty three to the first day



of January One thousand seven hundred and Sixty four and no Longer, any Law, Usage or Custom to the Contrary Notwithstanding.

[CHAPTER 1203.]

[Chapter 1203 of Van Schaick where the title only is printed. Expired January 1, 1765. Provided for by chapter 1205.]

An Act for the more Effectual Destroying of Wolves in the County of Orange.

[Passed, December 11, 1762.]

WHEREAS the former Reward for Destroying of Wolves in the Counties of Ulster Dutches and Orange hath by Experience not been found sufficient to answer all the ends and purposes thereby intended.

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same, that from and after the Publication of this act and during the Continuance thereof every Person being an Inhabitant of Orange County who shall actually take Kill or Destroy any Wolf or Wolves Whelp or Whelps of any Wolf within the County of Orange shall be intitled to and have the Reward or Rewards following, that is to say, for every grown Wolf the sum of Thirty shillings, and for every Whelp the sum of Fifteen shillings to be paid by the County Treasurer as shall be Directed by this Act.

AND that Frauds may not be Committed and the Inhabitants may not be imposed upon by Persons living out of the said County BE IT THEREFORE ENACTED by the authority aforesaid that before any Inhabitant of the said County shall be intitled to any of the Rewards allowed by this act he shall carry the Head or Heads of such Wolf or Wolves Whelp or Whelps with the intire skin thereon to any Justice of the Peace or any of the Supervisors dwelling in the said County, and the said Justice or Supervisors of the said County shall be and are hereby impowered Directed and Required to administer to every such Inhabitant an Oath in the Words following "I A. B. do swear "that the Wolf, the Head whereof I now produce, was actually "taken and killed within the County of Orange, and that I am "an Inhabitant of the said County" and the said Justice or Supervisors dwelling and Residing in the County of Orange shall and are hereby required and impowered and Directed to give a Certificate thereof to such Person or Persons as shall have so

sworn as aforesaid and such Justice or Supervisor for administering such Oath and giving a Certificate from under his Hand shall have for his Reward the sum of one Shilling and Six pence to be paid by such Person or Persons Requiring the same, and the said Justice or Supervisor in giving such Certificate shall therein mention the Name or Names of such person or Persons as have so sworn that they have actually taken and killed such Wolf or Wolves Whelp or Whelps within the County of Orange, and the said Certificate being produced to the Supervisors of the said County the said Supervisors shall allow such Person or Persons as shall produce such Certificate as aforesaid all such sum or sums of Money as are allowed by this Act for destroying of Wolves or Whelps and the said Reward shall be a County Charge and shall be Raised assessed and Levied together with the other Necessary and Contingent Charges of the said County.

AND BE IT ENACTED by the Authority aforesaid that the Supervisors of the said County shall and are hereby impowered Required and Directed to order the aforesaid sum or sums of Money by this Act to become due to be paid to the County Treasurer and the said Treasurer shall pay the same as shall be Ordered and Directed by said Supervisors to such Person or Persons or their Assigns as have so Killed or Destroyed such Wolf or Wolves Whelp or Whelps, any Law usage or Custom to the Contrary hereof Notwithstanding.

AND BE IT ENACTED by the Authority aforesaid that this Act shall be and Remain in force from the Publication hereof till the first Day of January which will be in the year of our Lord one thousand Seven hundred and Sixty five and no longer.

#### [CHAPTER 1204.]

[Chapter 1204 of Van Schaack, where the title only is printed.]

An Act to raise Levy and Collect the Sum of Two hundred Pounds in the Borough of Westchester for Erecting and Building a Town Hall and Goal in the said Borough

[Passed, December 11, 1762.]

WHEREAS the Town Hall and Goal in the said Borough was some time since Consumed by Fire And it being expedient that another Town Hall and Goal be Built as well for the holding of Courts as for the Securing of Prisoners

BE IT THEREFORE ENACTED by His Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That for and towards Erecting and Building and to and for no other use or purpose whatsoever It shall and may be lawfull to and for the Mayor Aldermen and Commonalty of the said Borough of Westchester or the Major part of them for the time being and they are hereby directed and Required as Soon as conveniently may be after the Publication of this Act to Raise Levy and Collect by a Tax upon the Estates Real and Personal of the Several Freeholders Inhabitants and Residents within the Said Borough a Sum not Exceeding Two hundred pounds Which Said Sum shall be Raised Levied and Collected in the same manner as the other Necessary and Contingent charges of the said Borough are

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Money so to be Raised by Virtue of this Act Shall by the Collector or Collectors thereof be paid unto the said Mayor Aldermen and Commonalty or the Major part of them to be by them Employed and laid out in Purchasing materials and providing Workmen for Erecting and Building the Said Town Hall and Goal in Such manner as to them or the Major part of them shall appear most convenient

#### [CHAPTER 1205.]

[Chapter 1205 of Van Selsaek, where the act is printed in full, except the last paragraph. See chapter 751.]

#### An Act to Divide the Highland Precinct in Ulster County into two Precincts

[Passed, December 11, 1762.]

WHEREAS the Highland Precinct in the County of Ulster is very extensive and by the great Increase of the Inhabitants therein since the laying out of the same the Duties of its several officers is become very burthensome, from which many Inconveniencies have arisen, and Still may Arise if Not Remedied

BE IT THEREFORE ENACTED by His Excellency the Governor the Council and the General assembly and it is hereby Enacted by the authority of the same that the said Precinct called by the Name of the Highland Precinct shall be and is hereby Divided into Two Precincts by a Line beginning at the West side of Hudsons River at the Mouth of Quasick Creek and Running from thence along the South Bounds of a Tract of Land

commonly called the German Patent To another Tract granted to Alexander Baird and then all along the Southerly bounds of the Said last mentioned Tract to the Walkill Precinct And that all the Lands heretofore comprehended within the said Highland Precinct lying to the Southward of the aforesaid Dividing Line Shall be called by the Name of New Windsor Precinct And that all the Lands heretofore comprehended within the Said Highland Precinct lying to the Northward of the Aforesaid Dividing line shall from and after the Publication of this Act be called by the name of Newburgh Precinct

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Freeholders and Inhabitants of each of the aforesaid two Precincts called New Windsor Precinct and New-Burgh Precinct respectively shall hereby HAVE full power and Authority and are hereby directed to chuse and Elect Yearly at their Annual meetings One supervisor three Assessors One Collector One Constable Two Overseers of the Poor and overseers of the Highways for each of the aforesaid respective Precincts Who when so Chosen and Elected Shall respectively be Vested with and have the same Authorities and Powers and be Subject to the like Rules Regulations and Penalties as are by Law prescribed for the like officers Respectively in the other Precincts & Towns in the said County

AND BE IT FURTHER ENACTED by the Authority Aforesaid That the Freeholders and Inhabitants of New Windsor Precinct Aforesaid Shall Annually meet at the now Dwelling House of Judah Harlow On the first Tuesday in April Yearly for Electing the officers belonging to that Precinct And that the Freeholders and Inhabitants of Newburgh Precinct Aforesaid Shall Annually meet at the now dwelling house of Captain Jonathan Hasbrouck On the first Tuesday of April Yearly for Electing the Officers belonging to that Precinct and that the beforementioned two places for holding the Elections Shall be and remain the places for holding the Elections in the Aforesaid two Precincts respectively Untill such time as the Same Shall be Altered by the majority of the Freeholders and Inhabitants of either of the said Two Precincts for the following Year Which place being so agreed upon shall remain the place of meeting Yearly Untill altered as aforesaid

AND Whereas by an act Entitled "An Act for the better Clearing Mending and further laying out Public HighRoads and

"Others in the County of Ulster" passed in the Twenty Ninth year of his late Majesty's Reign The following Persons vizt Captain Thomas Ellison, Captain Jonathan Hasbrouck and Mr. Patrick McClaghry were appointed Commissioners TO regulate the Highways for the said Highland Precinct during the continuance of the said Act And as the Said Highland Precinct is hereby divided into two Precincts it will be requisite that there be Commissioners Appointed in each of the said Precincts BE IT THEREFORE FURTHER ENACTED by the Authority Aforesaid That the Persons herein after named Shall be and hereby are Appointed Commissioners to Regulate the HighWays and lay out Such other Public Roads as may Still be Necessary with their Several Precincts That is to Say For New Windsor Precinct Col'o Thomas Ellison Mr Patrick McClaghry and Abimuel Young For Newburgh Precinct Cap't Jonathan Hasbrouck Lewis Du Bois, And Samuel Fowler And that the Said Persons herein before Appointed Commissioners and each of them are and is hereby as fully Authorized and Impowered to put into execution the Several Services intended by the said Act within their respective districts for which they are respectively Named and Appointed Commissioners Until the first day of January One thousand Seven hundred and Sixty six as fully as if they had been named in the Aforesaid Act. This Act to commence and begin to be in force the first Tuesday in April Next.

[CHAPTER 1206.]

[Chapter 1206 of Van Schaack, where the act is printed in full. Suspended by chapter 1536.]

An Act to appoint Commissioners for regulating and laying out Highways in Charlotte and Amentia Precincts in Dutchess County.

[Passed, December 11, 1762.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same That Nicholas De Lavergne, Henry Lott and Tobias Stoutenburgh shall be and hereby are appointed Commissioners to regulate and Lay out highways in Charlotte Precinct in Dutchess County, and Edmond Perlee, Abraham Borkee and Roswell Hopkins shall be and hereby are appointed Commissioners to Regulate and Lay out Highways in Amentia Precinct



in said County, And shall he and hereby are vested with as full power and Authority for that end to all intents Constructions and purposes whatsoever as if they had been actually named and Appointed in and by An Act of the Governor Council and General Assembly passed in the Twenty seventh year of his Late Majesty's Reign Entitled "An Act to appoint Commissioners to regulate Highways in Dutchess County in the place of those appointed by an Act Entitled An Act for the better Clearing and further laying out Publiick High Roads in Dutchess County."

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any of the Commissioners hereby appointed shall Neglect Refuse or delay to put the several Clauses in Execution which are mentioned and Expressed as their Duty in this Act if thereunto required or shall happen to die or remove Out of either of the Precincts aforesaid for which they are Respectively appointed it shall and may then be Lawfull for the Justices of the Peace in the Sessions to be held for the said County to appoint in his or their Stead another Commissioner or Commissioners where such refusal neglect Death or removal shall happen which Commissioner or Commissioners so appointed, shall be under the same restrictions and have the same power and Authorities, as those named and Appointed by this Act.

#### [CHAPTER 1207.]

[Chapter 1207 of Van Schaack, whose title only is printed. See chapter 1108. Continued by chapter 1293.]

An Act further to continue an Act Entituled "An Act to restrain the feeding and Burning the Grass and Cutting the Timber on certain Beaches and Islands therein mentioned"

[Passed, December 11, 1762]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly, and It is hereby Enacted by the Authority of the Same That the Aforesaid Act Entituled "An Act to restrain the feeding and Burning the Grass and Cutting the Timber on certain Beaches and Islands therein mentioned" passed in the Thirty Second Year of the Reign of His late Majesty King George the Second Shall be and hereby is continued and every Clause Matter and thing therein contained Enacted to be and remain of Force from the first Day of January

next to the first Day of January which will be in the Year of Our Lord One thousand Seven hundred and Sixty Six

[CHAPTER 1208.]

[Chapter 1208 of Van Schaack where the act is printed in full. Expired January 1, 1765. Revived by chapter 1416.]

An Act to prevent the Digging of Pits  
for the Taking of Deer in Queens and Suffolk  
Counties.

[Passed, December 11, 1762.]

WHEREAS a most dangerous Method of Digging of Pits for the Taking of Deer has too much prevailed of late in the County of Suffolk and Queens County to the Great Detriment of many of his Majesty's Subjects for the Prevention whereof.

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same that if any Person or Persons whatsoever shall digg, make or keep open any Pit or Pits for the taking of Deer within the Counties aforesaid, such Person digging making or keeping open any such Pit shall pay and forfeit the sum of Five Pounds or, in Default of payment thereof for the space of one Month, shall suffer one Months Imprisonment, and also be liable to make Good all Damages any Person shall sustain by Digging making or keeping open such Pit, and if the digger maker or person keeping open such Pit be a Slave, he shall in Lieu of such Fine be Publickly Whipped with Twenty one Lashes and Committed till the Costs for doing the same are paid and That the said Pit or Pits shall be filled up and levelled at the Costs and Charges of the Digger Maker or the Person keeping open the same.

AND BE IT ENACTED by the Authority aforesaid that the Fines and Forfeitures by this Act expressed shall be paid one half to the Prosecutor and the other half to and for the use of the Poor of the Town Mannor or Precinct where the Offence is Committed and that the Execution of this Act and every part thereof shall be within the Cognizance of any one Magistrate or Justice of the Peace within the Counties aforesaid respectively, and that the Prosecutor or Defendant shall have Liberty of having a Jury of six Men if desired as in other Cases Cognizable before a Justice of the Peace and the Costs shall attend the Event of the Suit.

AND BE IT ENACTED by the authority aforesaid that this act shall be and remain of full force from the first Day of January next to the first day of January which will be in the year of our Lord One thousand Seven hundred and Sixty five.

## TWENTY-NINTH ASSEMBLY

### *Sixth Session*

(Begun Nov. 8, 1763, 4 George III, Cadwallader Colden, Lieut. Governor.)

### [CHAPTER 1200.]

[Chapter 1200 of Van Schaack, where the title only is printed. See chapter 1183. Continued by chapter 1239.]

An Act further to Continue An Act Entitled An Act for Granting to his Majesty the several Duties and Impositions on Goods Wares and Merchandizes Imported into this Colony therein mentioned.

[Passed, December 13, 1763.]

WHEREAS the several Duties and Impositions on Goods Wares and Merchandizes Imported into this Colony and Granted for the Support of the Government of his late Majesty King George the second, by the above mentioned Act have by several Subsequent Acts Been Continued to the first Day of January next; and the General Assembly being willing to make provision for the further Support of his Majesty's Government of this Colony.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly. And it is hereby Enacted by the Authority of the same, That the above mentioned Act Entitled An Act for granting to his Majesty, the several Duties and Impositions on Goods wares and Merchandizes Imported into this Colony therein mentioned, passed in the Twenty seventh year of his Late Majesty's Reign shall be and hereby is Continued, and every Clause matter and thing therein Contained, Enacted to be and Remain in full force to all Intents Constructions and purposes whatsoever from the said first Day of January next until the first day of January which will be in the year of our Lord One thousand Seven hundred and Sixty five Inclusive.

by them applied in the payment of one hundred Men exclusive of Officers who are to be Employed to Guard the Frontier of Albany at Schohary and Cherry vally after the following Rates Vizt To two Captains Six Shillings per diem each, To four Lieutenants five shillings per Diem each, and to One hundred Private Men three shillings per Diem each, the said Officers and Men providing themselves with Provisions, arms and other Necessaries, Deduction to be made for any Deficiency in that Number by Death or otherwise.

AND BE IT ENACTED by the Authority aforesaid that the Commissaries, out of the Monies aforesaid shall provide for the said One hundred Men, One hundred pounds of Powder and four hundred pounds of Lead.

AND BE IT ENACTED by the Authority aforesaid that the Treasurer of this Colony shall out of the aforesaid Monies pay unto the said John Cruger Beverly Robinson and Peter Van Brugh Livingston Commissaries and Paymasters to the Forces Raised in this Colony the sum of Four thousand and Forty six Pounds to be by them applied in the payment of Two hundred Private Men exclusive of Officers who are to be Employed in Guarding the Western Frontier of the Counties of Ulster and Orange Vizt One hundred and Sixty Private Men for Ulster County and Forty Private Men for the County of orange after the following Rates Vizt To one Captain Commandant Eight shillings per Diem, To three Captains Six Shillings per diem each, to Eight Lieutenants Five shillings per diem each and to two hundred private Men three shillings per Diem each, the said Officers and Men providing themselves with Provisions Arms and other Necessaries; Deduction to be made for any Deficiency in that Number by Death or otherwise

AND BE IT ENACTED by the Authority aforesaid that the Commissaries out of the Monies aforesaid shall provide for the said Two hundred Men, Two hundred Weight of Powder and Eight hundred Weight of Lead.

PROVIDED AND BE IT ENACTED by the Authority aforesaid that no Person or Persons whatsoever Inhabiting at Schohary and Cherry Vally in the County of Albany, and no Person or Persons of the precinct of Memacatting and Township of Rochester in Ulster County, and no Person or Persons living on the West side of the Walkill in Orange County shall be admitted to Enlist in the service for Guarding the Western Frontier.

AND BE IT ENACTED by the Authority aforesaid that the Treasurer of this Colony shall out of the aforesaid Monies pay unto the said John Cruger Beverly Robinson and Peter Van Brugh Livingston Commissaries and Paymasters to the Forces Raised in this Colony the sum of Four thousand Seven hundred pounds to be by them applied in the payment of One hundred and seventy three Men Officers Included raised by the Colony and now Employed in his Majesty's Service at the Garrisons of Oswego Niagara and D'Eetroit after the following rates Vizt To one Captain Commanding the said Forces Ten shillings per Diem. To three Lieutenants seven Shillings per Diem each, To six Serjeants One Shilling and eight pence per Diem each, To Twelve Corporals One shilling and six pence per Diem each, To one Drummer One shilling and sixpence per diem, and unto one hundred and Fifty Private Men One shilling and three pence per diem each, Deduction to be made for any Deficiency in that Number by Death or otherwise.

AND BE IT ENACTED by the Authority aforesaid that the Treasurer shall out of the Monies aforesaid pay unto the said Captain Commanding the said One hundred and Seventy three Men or to his Order the sum of Five pounds for each and every able bodied Man now on the said Service to be by him paid to the Said Men respectively to provide themselves with Cloathing Which said respective Sums shall be paid by the Treasurer on Warrants Issued by his Honour the Lieutenant Governor or by the Commander in chief for the time being, by and with the advice and Consent of His Majestys Council.

And the said Paymasters are hereby directed to pay to one Chirurgion attending the said One hundred and Seventy three Men the sum of Ten shillings per diem.

AND BE IT ENACTED by the Authority aforesaid that the Treasurer of this Colony shall out of the aforesaid Monies pay unto the said John Cruger, Beverly Robinson and Peter Van Brugh Livingston Commissaries and Paymasters the sum of Eleven thousand pounds to be by them applied in the payment of Three hundred Effective Men Exclusive of Officers to be Employed in Protecting the Inhabitants on the Mohawk River and keeping open the Communication between Albany and Oswego during the Winter season and be ready in the spring to prevent any Incursions that may be attempted by the Savages in such manner as his Majesty's Commander in Chief in North



America shall Judge most Conducive for that purpose after the Following Rates Vizt. To one Major Twelve Shillings per diem To five Captains Ten shillings per diem each, To Ten Lieutenants seven Shillings per diem each, To Ten Serjeants One Shilling and Eight pence per diem each, To Twenty Corporals one shilling and six pence per diem each and unto two hundred and Seventy Private Men one Shilling and three pence per diem each, Deduction to be made for any Deficiency in that Number by Death or otherwise.

AND be it further Enacted by the Authority aforesaid that the Treasurer shall out of the Monies aforesaid pay unto each of the said Captains or other Officer properly authorised to raise the said last mentioned three hundred Men, the sum of Twenty shillings for each able Bodied Man whom he or they respectively shall engage to Inlist Voluntarily into the said Service, AND to each of the said Captains as and for an Encouragement to the Men who shall Inlist under him or them respectively, the sum of seven Pounds, to be paid by him or them respectively to each and every able Bodied Man who shall Voluntarily inlist under him or them respectively on the aforesaid Service. Which said respective sums shall be paid by the Treasurer on Warrants Issued by His Honour the Lieutenant Governor, or by the Commander in Chief for the time being by and with the advice and Consent of His Majestys Council

AND be it further Enacted by the Authority aforesaid that the said Commissaries shall Provide for each able Bodied Man that shall Voluntarily Inlist in the last mentioned Service one Coat, one Jacket, one Hatt, two Shirts, one pair of Leather Breeches, two pair of Stockings, two pair of Shoes and one Blankett, of the due disposition of all which aforesaid sums of Money they the said Paymasters shall render a Just and true account on Oath to his Honour the Governor or Commander in Chief for the time being, the Council or the General Assembly when by them or any of them thereunto required.

AND BE IT FURTHER ENACTED by the authority aforesaid that the Forces to be Raised as aforesaid the Commissaries are hereby directed to pay according to the Number that shall be in Actual Service, and not otherwise which shall be Ascertained by the Muster Rolls of the respective Companies, Monthly delivered unto the said Paymasters, upon the Oath of the several Captains of each Company or the Oath of the Commanding Officer thereof at the time of such Muster; which Oath the said Pay-

masters or either of them, or such other Person as the Governor or Commander in Chief shall appoint are hereby Impowered and Required to Administer in the words following Vizt I A. B. do swear that the Muster Roll here produced by me, is Just and true and Contains no more, nor other Persons names, than such who are really and truly Inlisted in my Company, and are now actually and really in the service for which they were Inlisted Except those Names marked in this Muster Roll. Dead, Diserted or Discharged, so help me God. And the said Paymasters are hereby directed to pay to one Chirurgion attending the last mentioned three hundred men, the sum of Ten shillings per Diem, and also to provide him with a proper Chest of Medicines to the value of Fifty Pounds.

AND to the End the aforesaid Commissaries may be Encouraged to do and perform the several and respective services required to be done and performed by them respectively. BE IT ENACTED by the Authority aforesaid that the said Commissaries shall be allowed to Retain in their own Hands, the sum of Two Pounds on every Hundred pounds they shall Employ by Virtue of this Act as a Reward for their Care and Trouble, in the several and Respective Services hereby Required to be done and performed by them.

AND BE IT ENACTED by the Authority aforesaid that the Commissaries before they receive any part of the Monies hereby directed to be paid unto them, shall enter into Recognizances unto our Sovereign Lord the King his Heirs and Successors, before one of the Judges of the Supreme Court of this Colony, in the sum of Twenty one thousand Seven hundred and forty six pounds with two sufficient Sureties each in half that sum, Conditioned that they shall well and truly Employ and apply the Monies to be Received by them as aforesaid to and for the several and respective uses and Purposes directed by this Act, and well and truly to Observe do and perform all the Directions hereby required to be observed done and performed by them, according to the true Intent and meaning of this Act, which Recognizances are to be filed and Recorded in the Supreme Court of this Colony

AND BE IT FURTHER ENACTED by the Authority aforesaid that if either of the before named Commissaries, shall fail of Employing and applying the Monies so to be received by them, in the Manner, and for the respective uses directed by this Act, or Omitt to observe, do and perform what is hereby required to

be Observed done and performed by them, in such case or cases the said Recognizances shall be proceeded upon in due form of Law, against such Offender or Offenders or his or their Sureties, in the Supreme Court of this Colony wherein no Essoin, Protection Wager of Law, or more than one Imparllance shall be allowed; and the money to be recovered in Consequence thereof, shall be paid into the Treasury of this Colony and applied to and for such uses as shall hereafter be Directed by Act or Acts to be passed for that purpose.

AND BE IT ENACTED by the Authority aforesaid that if either of the said Commissaries shall happen to Die Remove out of this Colony or refuse to Act according to the several and respective Powers and Authorities hereby required and directed, it shall and may be lawfull to and for the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and Consent of his Majesty's Council to Nominate and appoint some other fit Person or Persons in the place and Stead of him or them so dying, Removing or Refusing to Act as aforesaid, any thing herein Contained to the Contrary notwithstanding Provided the Person or Persons who shall be appointed shall be obliged to Enter into the like Recognizance with the like Sureties as herein is Directed to be done by the said Commissaries before he or they be Intitled to receive any part of the Money herein mentioned, and in all respects be as subject to Observe do and perform the several directions of this Act, as if he or they had been named or appointed in it.

AND BE IT ENACTED by the Authority aforesaid that the before mentioned several sums of Money directed to be paid to the aforesaid Commissaries, shall be paid by the Treasurer of this Colony at such time, and in such Proportion as shall be thought necessary and Expedient by the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and Consent of his Majesty's Council of this Colony, for performing the several and Respective Services Directed by this Act.

AND that none of his Majesty's Subjects who are Inclined to go upon the Last mentioned Service may be Impeded or debarred from entering Voluntarily therein BE IT ENACTED by the Authority aforesaid that no person who shall enlist or enter himself a Volunteer in the said last mentioned Service shall during the same be liable to be taken therefrom by any Process or Execution whatsoever other than for some Criminal matter unless for a Debt or other Just Cause of Action, and unless

before taking out such Process or Execution, not being for a Criminal matter, the Plaintiff or Plaintiffs therein or some other Person or Persons in his or their behalf shall make Affidavit before one or more Judge or Judges of the Court of Record or other Court out of which such Process or Execution shall issue or before some Person Authorized to take Affidavits in such Courts, that to his or their Knowledge the Original sum Justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants, in the Action or cause of Action on which such Process shall issue, or the Original Debt for which such Execution shall be issued out, amounts to the value of Ten pounds, Current Money of the Colony of New York over and above all Costs of Suit in the same Action or in any other Action, on which the same has been or shall be Grounded: A Memorandum of which Oath shall be Endorsed on the Back of such Process or writ, for which Memorandum or oath no fee shall be taken and if any Person shall, nevertheless be arrested Contrary to the Intent of this Act it shall and may be lawfull for one or more Judge or Judges of such Court, upon Complaint made thereof by the Party himself, or by any of his Superior Officers to Examine into the same by the Oath of the Parties or otherwise, and by warrant under his or their Hands and Seals to discharge such Soldier so arrested or detained Contrary to the Intent of this Act, without paying any Fee or Fees, upon due proof made before him or them that such Soldier so arrested or detained was duly Indsted for the Service aforesaid and was arrested and detained Contrary to the Intent of this Act.

AND BE IT ENACTED by the Authority aforesaid that every Person or Persons whatsoever Engaged in the Service aforesaid Viz't in Guarding the Western Frontiers of the Counties of Ulster and Orange and in Guarding the Frontier of Albany at Schohary and Cherry vally and those at Oswego Niagara and D'Etroit shall be continued therein until the first Day of May One thousand Seven hundred and Sixty four and no longer.

AND BE IT ENACTED by the Authority aforesaid, that every Person or Persons whatsoever Engaged in the service aforesaid Employed in Protecting the Inhabitants on the Mohawk River and keeping open the Communication between Albany and Oswego during the Winter season and be ready in the Spring to prevent any Incursions that may be attempted by the Savages in

such manner as his Majesty's Commander in Chief in North America shall Judge most Conducive to that purpose, shall be Continued therein until the first Day of November One thousand Seven hundred and sixty four and no longer.

AND BE IT ENACTED by the Authority aforesaid that in Case any Person or Persons whatsoever engaged in the Services aforesaid, either as Officers or Soldiers, shall at any time during the said Service, Desert therefrom or shall begin, Excite, Cause or Join in any Mutiny or Sedition in the Company to which he shall belong or any other Company engaged in the said Services or shall hold Correspondence with any Rebel or Enemy of his Majesty, or give advice or Intelligence, by Letters Messengers, Signs, or Tokens, or any manner of way whatsoever or shall strike or use any Violence against his Superior Officer, being in the execution of his Office or shall refuse to Obey any lawfull Command of his Superior Officer they shall respectively suffer Death or such other Punishment as shall be Inflicted by a Court Martial: which Court Martial shall be held, Constituted, and appointed by Commission from the Lieutenant Governor or Commander in Chief for the time being under the Great seal of this Colony.

AND BE IT ENACTED by the Authority aforesaid that when the Treasurer shall have paid all the several sums of Money directed to be paid by this Act all the residue of the aforesaid money shall remain in the Treasury to be disposed of by Act or acts hereafter to be passed for that purpose.

AND BE IT ENACTED by the Authority aforesaid that the Treasurer shall keep Exact Books of all his Receipts and Payments by virtue of this act and a true and Just account thereof shall render upon Oath to the Lieutenant Governor or Commander in Chief for the time being, the Council, or to the General Assembly when by them or either of them thereunto required.

#### [CHAPTER 1211.]

[Chapter 1211 of Van Schanck, where the title only is printed. See chapter 1186.]

An Act further to Continue the several Acts therein mentioned, Relative to the Militia of the Colony of New York.

[Passed, December 13 1763.]

BE IT ENACTED by his Honour the Lieutenant Governor, the Council and the General Assembly, and it is hereby Enacted



by the Authority of the same. That an Act Entitled An Act for Regulating the Militia of the Colony of New York passed in the Twenty Eight Year of his late Majesty's Reign: as also one other Act Entitled, An Act to Continue an Act Entitled an Act for regulating the Militia of the Colony of New York with some additions thereto, passed in the Twenty Ninth year of his late Majesty's Reign, As also one other Act Entitled, An Act to amend an Act Entitled an Act for Regulating the Militia of the Colony of New York passed in the Thirtieth year of his late Majesty's Reign and likewise one other Act Entitled An Act further to Continue An Act Entitled An Act for Regulating the Militia of the Colony of New York, Together with the two Acts therein mentioned, respecting the regulating the Militia of New York with an Addition thereto passed in the Thirty second year of his late Majesty's Reign, shall be and hereby are Continued, and every Clause, Article Matter and thing in the said four Acts Contained, Enacted to be and Remain in full force and Virtue, to all Intents Constructions and purposes whatsoever, from the first Day of January next, until the first Day of January which will be in the year of our Lord One Thousand Seven hundred and Sixty five.

## [CHAPTER 1212.]

[Chapter 1212 of Van Schnack, where the title only is printed. Expired January 1, 1765.]

An Act for Collecting the Duty of Excise on Strong Liquors Retailled in this Colony from the first of January One thousand seven hundred and Sixty four, to the first Day of January One thousand Seven hundred and Sixty five Inclusive.

[Passed, December 13, 1763.]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that Cornelius Clopper shall be and hereby is appointed Commissioner for Collecting the Duty of Excise of and from the several Retailors of Strong Liquors within the City and County of New York from the first Day of January One thousand Seven hundred and Sixty four to the first Day of January which will be in the Year one thousand seven hundred and Sixty five Inclusive.

AND BE IT ENACTED by the authority aforesaid that the said Commissioner shall as soon after the publication of this Act

as he shall judge convenient appoint the several Retailers within the said City and County and direct and ascertain what each Retailer shall pay for the said Duty from the first Day of January One thousand seven hundred and sixty four to the first Day of January One thousand Seven hundred and Sixty five ALWAYS PROVIDED that the whole sum so to be laid on the several Retailers in the said City and County shall be the full and entire sum of Nine hundred and fifty four pounds with the additional sum of One hundred pounds for incidental Charges and his Commissions, which last is to be at the rate of five per Cent, for which said sum of One hundred pounds he shall account on Oath to the Mayor Aldermen and Commonalty of the City of New York when by them thereunto required, and if it exceeds his Commissions and incidental Charges the Surplus thereof shall be applied in case of the next Years Excise, and the said sum of Nine hundred and fifty four pounds shall by the said Commissioner be paid unto the Treasurer of this Colony on or before the first Day of January One thousand seven hundred and Sixty five.

AND BE IT ENACTED by the Authority aforesaid that the several and respective persons hereafter named shall be and hereby are appointed Commissioners for Collecting the Duty of Excise of and from the several and respective Retailers within the several and Respective Counties of this Colony hereafter mentioned, and the Harbours, Bays, and Rivers respectively thereunto adjoining and belonging Vizt

For the City and County of Albany Henry Bleeker Junior and Peter Lansingh Esquires.

For the Borough of Westchester the Mayor Recorder and Aldermen of the said Borough.

For Kings County Theodorus Polhemus Esquire

For Queens County Benjamin Townsend Esquire.

For Suffolk County Richard Floyd, Hage Gelston and Samuel Landon Esquires.

For Westchester County Edward Stephenson and John Thomas Junior Esquires.

For Dutchess County Captain Zephaniah Platt and Murray Lester Esquire.

For Ulster County Captain Jonathan Hasbrouck and Joseph Gasherie Esquire.

For Orange County Major William Thomson and Jacob Conkling Esquire and for Richmond County Hezekiah Wright, Joseph Bedell and Jacob Rezeau Esquires.

AND BE IT ENACTED by the Authority aforesaid that the aforesaid several and Respective Commissioners or the Major part of them respectively shall as soon as Conveniently they can after the publication of this Act meet at the County Hall of their several and respective Counties or at such other place or places as they the said Commissioners shall respectively appoint, for putting in execution the powers and Authorities given by this Act, at which time or at such other times as they shall Judge necessary, the said Commissioners or the Major part of them respectively shall for their own Counties and Districts severally and respectively fix the Number, and appoint the several Retailers within their several and respective Counties and Districts and direct and Ascertain what each Retailer shall pay for the said Duty of Excise from the first day of January One thousand Seven hundred and sixty four to the first Day of January One thousand seven hundred and sixty five ALWAYS PROVIDED that the sum to be laid on the several Retailers in the City and County of Albany shall be the full and entire sum of One hundred and Twenty seven pounds with the sum of Twenty five pounds in addition thereto for the Charges of managing the same.

On the several Retailers in the Borough of Westchester the full and entire sum of Ten pounds.

On the several Retailers in Kings County the full and entire sum of Forty pounds with the sum of five pounds in addition thereto for the Charges of managing the same.

On the several Retailers in Queens County the full and entire sum of one hundred and Twenty five pounds with the sum of five pounds in addition thereto for the Charges of Managing the same.

On the several Retailers in Suffolk County the full and entire sum of Sixty pounds with the sum of Nine pounds in addition thereto for the charges of managing the same

On the several Retailers in Westchester County the full and entire sum of Sixty Pounds with the sum of Fifteen pounds in addition thereto for the Charges of managing the same.

On the several Retailers in Dutches County the full and entire sum of forty two pounds, with the sum of Eight pounds in addition thereto for the Charges of managing the same.

On the several Retailers in Ulster County the full and entire sum of Thirty Eight pounds with the sum of Eight pounds in addition thereto for the Charges of managing the same.

On the several Retailers in Orange County the full and entire sum of Nineteen pounds with the sum of four Pounds in addition thereto for the Charges of managing the same.

On the several Retailers in Richmond County the full and entire sum of Twenty five pounds with the sum of One pound Ten Shillings in addition thereto for the Charges of managing the same.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the aforesaid several and respective Commissioners shall before they enter on the execution of the powers and Authorities given by this Act, enter into Recognizances unto our Sovereign Lord the King his Heirs and Successors before any Judge of the Supreme Court or of the Inferior Courts in the following sums, that is to say.

The said Cornelius Clopper in the penal sum of one Thousand nine hundred and eight pounds.

The said Henry Bleeker Junior and Peter Lansingh in the Penal sum of Two hundred and fifty four pounds.

The said Theodorus Polhemus in the penal sum of Eighty pounds.

The said Benjamin Townsend in the penal sum of Two hundred and fifty pounds.

The said Richard Floyd, Hugh Gelston, and Samuel Landon in the penal sum of One hundred and twenty pounds.

The said Edward Stephenson and John Thomas Junior in the penal sum of One hundred and Twenty pounds.

The said Zephaniah Platt and Murray Lester in the penal sum of Eighty four pounds.

The said Jonathan Haasbrouck and Joseph Gasherie in the penal sum of Seventy Six pounds.

The said William Thomson and Jacob Concklin in the penal sum of Thirty Eight pounds.

And the said Hezekiah Wright, Joseph Redell, and Jacob Rezeau, in the penal sum of Fifty pounds. Conditioned that they shall well and truly pay to the Treasurer of this Colony on or before the first Day of January which will be in the year of our Lord One thousand seven hundred and Sixty five, the several and Respective sums to be laid in manner as aforesaid, on the several and Respective Retailers within their several and Respective Counties Exclusive of the several and Respective sums by this Act allowed for the Charges of Management.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the aforesaid several and respective Retailers shall pay the aforesaid several and Respective sums laid or to be laid on them, unto the aforesaid several and Respective Commissioners on or before the first Day of December One thousand Seven hundred and Sixty four for securing which payment the said Commissioners shall respectively Oblige the said several and respective Retailers to give such security as they the said Commissioners shall think necessary. PROVIDED that such Retailers in the City of New York as shall be Rated at Three pounds and under, and such in the several Counties as shall be Rated at Thirty shillings and under shall not be permitted to have Liberty to Retail unless they immediately pay the several and respective sums they shall be Rated at to the aforesaid respective Commissioners, any thing herein before Contained to the Contrary Notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that in Case any Person or Persons whatsoever other than such as the Said Commissioners shall permit shall presume to sell any Strong Liquours by Retail directly or indirectly, the Offender or Offenders shall for every such Offence forfeit the sum of Six pounds to be Recovered by the said Commissioner or Commissioners Respectively on the Oath of any one Credible Witness in a Summary way in the Cities of New York and Albany and Borough of Westchester before the Mayor and Recorder and one or more Aldermen of the said Cities and Borough respectively, and in the several Counties before any Justice of the Peace within the said County respectively, and if upon Conviction the said Forfeitures be not paid, the same shall be levied on the Goods and Chattels of the Offender or Offenders by Warrant or Warrants under the Hands and Seals of the Persons before whom such Conviction shall happen, and if no Goods and Chattels are found on which to Distrain it shall and may be lawful for the persons who heard and determined the Cause to Commit the Offender or Offenders to Goal without Bail or Mainprize for the space of three Months unless the penalties are sooner Discharged, and the said Respective Magistrates shall be and are hereby fully impowered Directed and Required to hear and Determine those Matters in the manner aforesaid and to give Judgment and if need be to award Execution thereon and to Issue a Warrant or Warrants for the Commitment of



Offenders as the Case may require, one third of which forfeiture shall be to the Informer or Informers, one third to the said Commissioners, and one Third to the Poor of the Town Manor or Precinct where the Offence shall be Committed, to be paid into the Hands of the Church Wardens or Overseers of the Poor of the said Respective place or places by the Officer or Officers by whom the same shall be levied: any thing in any of the Acts of this Colony to the Contrary notwithstanding.

• AND BE IT ENACTED by the Authority aforesaid that the several Retailers who shall be permitted and allowed to Retail by the Said Commissioner or Commissioners, shall before they do so Retail any Strong Liquours, enter into Recognizance, that is to say in the Cities of New York and Albany and Borough of Westchester before the respective Mayors thereof, and in the several Counties of this Colony before two Justices of the Peace in the Penal sum of Twenty pounds, with sufficient sureties in the like sum Conditioned to keep an Orderly House according to Law during the time they shall be permitted to Retail as aforesaid, and thereupon the said Respective Mayors or the said Justices shall Grant to such Person or Persons who have entered into such Recognizance a Licence under his or their Hands and Seals to Retail strong Liquours in such House and Place as shall be mentioned therein during the Continuance of this Act, which Recognizances are to be Lodged by the Person or Persons before whom the same shall be taken Vix't in the Cities of New York and Albany and Borough of Westchester with the Town Clerks and in the several Counties with the respective Clerks thereof. And upon Complaint of the Breach of the said Condition it shall be lawful for the said Mayors and Aldermen of New York and Albany and Borough of Westchester respectively or the greater number of them, and in the Counties for the Justices of the General and Special Sessions of the Peace to Suppress the Licence or Licences of such Offender or Offenders.

AND BE IT FURTHER ENACTED by the Authority aforesaid that in Case any of the Persons who shall be permitted to Retail Strong Liquours as aforesaid by the said Commissioner or Commissioners shall presume to Retail before he she or they have Obtained a Licence and entered into Recognizance to keep an Orderly House as aforesaid: he she or they so Offending shall respectively forfeit the sum of six Pounds for each Offence to be Recovered in a Summary way in the manner before directed, one

half thereof to the Informer and the other half to the Poor of the Town Manor or Precinct where the Forfeiture shall arise.

AND that the Expence of being Qualified to Retail may be within the Bounds of Moderation BE IT ENACTED by the Authority aforesaid that no more shall be taken for a Licence and Recognizance in the Cities of New York and Albany and Borough of Westchester than the usual and accustomed Fees: and in the respective Counties than the sum of three shillings.

AND BE IT FURTHER ENACTED by the authority aforesaid that such Persons permitted to Retail as aforesaid by the said Commissioner or Commissioners who Retail strong Liquour not to be Drank in their own Houses but carried else where shall not be Obligated to enter into the Recognizance and take Licence as aforesaid, any thing Contained in this Act to the Contrary Notwithstanding

AND BE IT ENACTED by the Authority aforesaid that in Case all the several sums for which the Excise shall be Lett in the several and Respective Cities Counties and Districts of this Colony, shall fall short of the sums herein before Rated on the several and Respective Cities Counties and Districts with the aforesaid incidental Charges of Letting and Collecting the same, then the Commissioner or Commissioners aforesaid where such Deficiencies shall happen shall be and are hereby empowered to call the Retailers before them, and assess and Rate such sum and Sums upon them as shall be Sufficient to make up such Deficiencies, which said additional sums shall be Collected and paid in the same manner with the several and respective sums first laid.

AND BE IT ENACTED by the Authority aforesaid that in case of the Death of any of the aforesaid Commissioners the surviving Commissioner or Commissioners where such Death may happen shall be and hereby is and are Intitled to the whole Reward, and vested with the same Powers and Authorities to Execute this Act, as if no such Death had happened and in Case of the Death of all the Commissioners of any the respective Cities Counties and Districts then the Sheriff or Sheriffs for the time being of the Cities Counties or County where such Death may happen shall be and hereby is and are Vested with all the Powers and Authorities given to the Commissioners by this Act, shall be under the same Regulation, and entitled to the same Rewards to all intents Constructions and purposes whatsoever as

If they had been particularly named and appointed in this Act, any thing in this Act to the Contrary notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that all the Monies to be paid to the Treasurer of this Colony by Virtue of this Act shall be employed for and towards Cancelling the Bills of Credit struck and Emitted upon the said Duty of Excise at the times and in the manner directed in and by An Act Entitled an Act for the more effectual Cancelling the Bills of Credit of this Colony, passed in the Twenty first Year of his late Majesty's Reign and to and for no other use whatsoever.

AND BE IT FURTHER ENACTED that the Retailers in the City of New York shall pay the Excise in three several Payments or sooner as the Commissioner and they shall Agree Provided always that nothing in this Act shall be Construed to make void abridge or any wise Lessen the several Rights and Priviledges Granted unto the Cities of New York and Albany and Borough of Westchester by their respective Charters any thing Contained in this Act to the Contrary thereof Notwithstanding.

AND BE IT FURTHER ENACTED BY THE AUTHORITY aforesaid that the Commissioner or Commissioners of each County and District except the City and County of New York shall at the next meeting of the Supervizors of their respective Counties after the first Day of January which will be in the year One thousand seven hundred and sixty five render a true account on Oath to them of all the Monies which he or they the said Commissioner or Commissioners has or have received or shall be due to him or them on Account of the Excise for the preceding year and whatever sum or sums he or they has or have Received or shall be due to him or them above the sum or sums Directed by this Act to be Levied in their respective Counties or Districts shall be paid to the Treasurer thereof and Applied by him towards the Defraying of the County Charges of the said County in the manner the said Supervizors shall direct, any thing hereon to the contrary Notwithstanding

## [CHAPTER 1213.]

[Chapter 1213 of Van Schaack, where the act is printed in full. See chapter 106L. Revived by Chapter 1332.]

An Act to Revive an Act Entitled An Act to prevent the Bringing in and spreading Infectious Distempers in this Colony with an Addition thereto.

[Passed, December 13, 1763.]

WHEREAS An Act, entitled An Act for preventing the bringing in and spreading of infectious Distempers in this Colony passed in the Thirty first year of his Late Majesty's Reign expired by it's own Limitation on the first Day of January One thousand Seven hundred and sixty two and the same having been found very usefull and necessary.

BE it therefore Enacted by his Honour the Lieutenant Governor, the Council, and the General Assembly and it is hereby Enacted by the Authority of the same, that the abovementioned Act, Entitled An Act to prevent the bringing in and spreading of infectious Distempers in this Colony shall be and hereby is revived and every Article matter and Clause therein Contained enacted to be and remain in full force from the Publication hereof until the first day of January which will be in the year of our Lord one thousand seven hundred and sixty Eight.

AND be it further Enacted by the Authority aforesaid that in Case any Person or Persons whatsoever shall Carry on the Practice of Inoculation for the small Pox in the Manor of Cortlandt in the County of Westchester and Colony aforesaid within the distance of half a mile of any dwelling House shall forfeit the sum of Twenty pounds for every such Offence which Offence is to be proved by two Credible Evidences before one of his Majesty's Justices of the Peace who is hereby Impowered to hear Try and determine the said Offence to give Judgment and Grant Execution for the same with Costs of Suit against the Offender or Offenders Goods and Chatties, One third of the said Forfeiture to be for the Prosecutor And the other two thirds for the use of the Poor in the said Manor And in Case no Goods or Chatties can be found then the Offender and Offenders shall be Committed to Goal for the space of six Months without Bail or Mainprize Except such Fine as aforesaid be sooner paid. This Act to continue in Force until the first day of January one thousand seven hundred and Sixty nine.

## [CHAPTER 1214.]

[Chapter 1214 of Van Schaack, where the title only is printed. See chapter 1190. Expired on the third Tuesday of April, 1768.]

An Act further to continue the Currency of the Bills of Credit emitted by virtue of an Act entitled An Act for emitting Bills of Credit for the payment of the Debts, and for the better support of the Government of this Colony, and other purposes therein mentioned, passed in the Eleventh year of the Reign of his late Majesty King George the second.

[Passed, December 13, 1763.]

WHEREAS an Act entitled An Act for emitting Bills of Credit for the payment of the Debts and for the better support of the Government of this Colony, and other purposes therein mentioned passed in the eleventh year of the Reign of his late Majesty King George the second, has by several subsequent Acts been Continued until the third Tuesday in April which will be in the Year of our Lord One thousand seven hundred and Sixty four, AND WHEREAS the Circumstances of the Colony still require the Aid of the Interest Money arising on the Bills of Credit Issued by Virtue of the Act first aforesaid for supporting the Government thereof.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same That the time for which the said Interest Money stands appropriated for the support of the Government of this Colony, by the last subsequent Act aforesaid, entitled An Act further to continue the Currency of the Bills of Credit emitted by virtue of an Act entitled An Act for emitting Bills of Credit for the Payment of the Debts and for the Better support of the Government of this Colony and other purposes therein mentioned shall be and hereby is Deferred, removed and further prolonged until the Third Tuesday in the Month of April which will be in the year of our Lord One thousand seven hundred and sixty five any thing in any of the aforesaid Acts to the contrary Notwithstanding, and that at the time last mentioned one fourth part of the Bills of Credit aforesaid, and the remainder thereof in the next three succeeding years



shall be paid in, Cancelled and Destroyed at the times and in the manner directed in and by An Act, Entitled An Act for the more effectual Cancelling the Bills of Credit of this Colony passed in the Twenty first year of his said late Majesty's Reign, and that as well the said first Mentioned Act as one other Act Entitled An Act to Facilitate and Explain the duty of the Loan Officers in this Colony passed in the said Eleventh year of his said Late Majesty's Reign; and every the Clauses Matters Articles and things in them contained, shall be, and hereby are Enacted to continue and Remain in full force and Virtue to all Intents Constructions and purposes whatsoever until the third Tuesday in April which will be in the Year of our Lord One thousand seven hundred and Sixty Eight any thing in the said Acts to the Contrary Notwithstanding

AND BE IT ENACTED by the Authority aforesaid, That the said Bills during the time they are hereby Enacted to remain Current shall continue to be put out at Interest in the same manner and method as in the said first mentioned Act is directed and that all the Interest money which may arise on them during that time, shall from time to time be employed to and for the support of the Government of this Colony, in such manner as shall by Act or Acts hereafter to be passed for that purpose be Ordered and Directed and not otherwise Except so much thereof as may be necessary for sinking and Cancelling the sum of Eight Thousand and Fifty nine Pounds fourteen shillings and Eleven pence emitted in Bills of Credit by virtue of the Act first aforesaid, for paying the Debts then due from this Colony.

AND BE IT ENACTED by the Authority aforesaid that the Loan Officers of the several Cities and Counties within this Colony for the time being shall be and hereby are fully Impowered and Authorized to alter the form of all such Mortgages as shall by them or any of them hereafter be taken in any of their Offices, in Relation to the Time and Times of payment in such manner as to make the same answerable to the true Intent and meaning of this Act any thing in any of the aforesaid Acts to the Contrary Notwithstanding

AND BE IT ENACTED by the Authority aforesaid that whenever the Loan Officers of the several Cities and Counties within this Colony shall from the Information of any of the Supervisors in the respective Counties of this Colony or from the Information of the Justices and Vestrymen of the City of New York or

the Major part of them have sufficient reason to suspect the Insufficiency of any of the Securities taken or to be taken for any sums of Money lent or to be lent out of any of the respective Offices either as to the value or Title of the said Securities, they the said Loan Officers shall be and hereby are Impowered and Required to demand Payment of the Principal sums (notwithstanding the due Payment of the Interest thereof) or further sufficient security and upon failure of the due payment of such Principal sums or refusing or Neglecting to give further sufficient security within fourteen Days after such Demand made to proceed to the sale of the Mortgaged Lands or such other Remedy as is given by the first aforesaid Act, according to the nature of the Case and therein to pursue the Rules and Directions prescribed in and by the said Act, any thing therein Contained to the Contrary notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any of the Persons who became Securities for the Loan Officers, pursuant to the first aforesaid Act shall be desirous of being Discharged from Continuing longer under their said Engagements, they shall give Notice thereof in writing unto the Supervisors of the respective Counties, or to the Mayor and Aldermen of the respective Cities, where they stand Engaged, between the first Tuesday in February and the first Tuesday in March, in the Year One thousand seven hundred and sixty four, and the said Supervisors or the Mayor and Aldermen or the Major part of them respectively shall immediately thereafter give Notice in writing to the respective Loan Officers, whose Sureties so desire to be discharged, that he or they do by the first Tuesday in April then next following provide and give new Security. And in case any of the Loan Officers aforesaid, so notified as aforesaid shall fail of giving new Security, to the satisfaction of the said Supervisors or Mayor and Aldermen or the Major part of them respectively, by the said Days, then the said Supervisors or Mayor and Aldermen or the Major part of them respectively shall proceed to the Choice of a new Loan Officer or Loan Officers in the Room and stead of such so failing, and in their proceedings thereon shall pursue the Directions of the first aforesaid Act with respect to the Choice of New Loan Officers in the several Cases therein mentioned, any thing in this or the aforesaid Acts to the Contrary notwithstanding.

## [CHAPTER 1215.]

(Chapter 1215 of Van Schaack, where the act is printed in full. Continued by chapter 1339.)

An Act to Regulate the Pilots and Establish their Pilotage between Sandy Hook and the port of New York and other purposes therein mentioned.

[Passed, December 13, 1763.]

WHEREAS the Subjecting the Pilots of the Port of New York to proper Regulations Tends greatly to the Safety and Convenience of the Navigation to and from the said Port.

Be it therefore Enacted by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same, that it shall and may be Lawfull for the Governor or Commander in Chief of this Colony for the time being by and with the advice and Consent of his Majesty's Council to appoint one fit and proper Person to be Master and three or more fit and proper Persons to be Wardens of the said Port of New York who shall be called by the Name of the Master and Wardens of the Port of New York, and in like manner to appoint and Commissionate a sufficient number of Persons to be Branch Pilots for the said Port who shall be and hereby are Impowered to appoint each one Deputy under them Provided that no Person shall hereafter be Commissionated as a Branch Pilot or appointed a Deputy Pilot until he shall have been Examined before, and Obtained a Certificate from the Master and Wardens of the said Port or any three or more of them under their Hands and Seals of his being duly Qualified for such Office, and if any Person not so Commissionated or appointed shall Pilot any Ship or Vessel going into or out of the said Port from or to Sandy Hook when a Branch or Deputy Pilot offers such Person shall forfeit and pay the sum of five Pounds.

AND BE IT ENACTED by the authority aforesaid that if any Branch Pilot or his Deputy shall Neglect or Refuse to give all the aid and Assistance in his Power to any Ship or Vessel appearing in Distress on the Coast or in Want of a Pilot, such Branch Pilot if the Lieutenant Governor or Commander in Chief with the advice and Consent of the Council shall think fit, shall forfeit his Branch or be fined at the discretion of the Master and Wardens aforesaid or any three or more of them not Exceeding

the sum of Ten pounds, which said Master and Wardens or any three or more of them are hereby Impowered to Impose such fine and also to make such prudential Rules and Orders (to be approved of by the Lieutenant Governor or Commander in Chief with the advice and Consent of the Council) for the better regulating the said Pilots, as they shall Judge necessary and Expedient and to Impose and lay any fine for the breach of such Rules and Orders not Exceeding the sum of Ten pounds.

AND to the end such Pilots may have due Encouragement to attend and perform such Services, Be it Enacted by the authority aforesaid that it shall and may be Lawfull to and for every such Pilot to ask Demand and Receive of and from every person or Persons that shall employ him or them to Pilot any Ship or other Vessel from or without Sandy Hook unto the Port of New York and from the Port of New York down to Sandy Hook so far as that they may proceed from thence safely to Sea from the first day of April until the first Day of November yearly the Rates and Pilotage following that is to say, at the Rate of four Shillings for every foot of water such Ship or Vessel shall Draw, and from the first day of November to the first Day of April yearly the sum OF Twenty shillings more for every such Ship or Vessel drawing Ten feet Water and upwards, and for every ship or Vessel drawing Less than Ten feet Water the sum of ten shillings more which Pilotage so hereby Established shall and may be Recovered before the Mayor, Deputy Mayor, Recorder and aldermen of the City of New York or any one of them who are hereby respectively Impowered and authorized to hear Try and Determine any Dispute or Controversy concerning the same in a Summary way and to award Execution thereupon with Costs of Suits.

AND to the end the said Master and Wardens may be disinterested and Impartial directors as by this act is intended Be it Enacted that neither of them so long as they are employed in this Trust shall be directly or Indirectly concerned in any Pilot Boat or with any Person whatsoever Commissionated as a Branch Pilot.

AND be it also Enacted that the Branch Pilots of the Port of New York already appointed shall within one Month after the Publication hereof and the Branch Pilots hereafter to be appointed shall before they take upon them the Execution of such office respectively enter into Recognizances with two suff

cient Sureties to be approved of by the Master and Wardens aforesaid or any three or more of them in the penal sum of Fifty pounds Current Money of this Colony Conditioned that such Pilot shall and will in all things diligently and faithfully perform and Execute the Trust reposed in him according to the directions true Intent and meaning of this Act and according to such Orders and directions as he or they shall from time to time receive from the said Master and Wardens of the Port of New York or any three or more of them, and on Breach of such Recognizances the same shall and may be put in Suit at the request of any Party complaining who shall be Intitled to and Receive such Part of the Penalty if recovered as shall be awarded and determined by the said Master and Wardens or any three or more of them who are hereby Authorized to take Cognizance of such Matter and award the Damages accordingly. Provided always that If the Branch Pilot so offending shall pay to the Party so agrieved such Damages as shall be Assessed by the said Master and Wardens or any three or more of them with the Costs accrued the proceedings upon such Recognizance shall be stayed or discontinued.

AND BE IT FURTHER ENACTED, that the Master and Wardens of the Port of New York for the time being shall be and they or any two or more of them are hereby appointed Surveyors for the Surveying of all damaged Goods brought into the Port of New York in any Ship or Vessel and in like manner with the Assistance of one or more able Carpenter or Carpenters to Survey all Vessels that shall or may be deemed or thought unfit to proceed to Sea and thereupon shall give proper Certificates under their Hands and Seals as the matter shall appear to them, an entry whereof they shall cause to be made in a Book to be kept for that purpose for which Certificate and Entry their Clerk shall be Intitled to a Fee of Eight Shillings and no more and the Master and Wardens shall be allowed at the Rate of Twenty shillings each per Day and in that proportion for half or Quarter of a Day, and no Survey on such Goods or Vessels performed or made in any other manner than is herein Directed and prescribed shall be Valid or Authentick

AND be it further Enacted that before the said Master or Wardens enter upon the Execution or discharge of the said Office they shall Severally take an oath before one of the Judges of the Supreme Court of this Colony in the words following, that



is to say, I. A. B. will well Truly and Impartially according to the best of my skill and understanding Execute the Powers Vested in me by Virtue of An Act of the Colony of New York Intituled An Act to regulate the Pilots and establish their Pilotage between Sandy Hook and the Port of New York and other purposes therein mentioned, so help me God.

AND be it further Enacted that the said Master and Wardens shall keep an Office in the City of New York and provide and keep a Clerk and a proper Book or Books and therein shall cause Regular and fair Entries to be made of all their Transactions and Proceedings in Virtue of this act to which all Persons may have Recourse, which Clerk so to be appointed is hereby Impowered and Authorized to receive all the Pilotage Money which shall from time to time become due to all or any of the Pilots by Virtue of this Act and on Refusal of Payment in his own Name to sue for the same before the Mayor Deputy Mayor Recorder and aldermen of the City of New York or any one of them who are hereby respectively Impowered and Authorized to hear try and determine the same in a Summary way and to award Execution thereon with Costs and to keep a distinct and separate account with each and every of the said Pilots of all such Moneys as he shall or may receive to their use and every three Months to pay the same to them Severally Retaining in his Hands four per Cent, for his Trouble, and all the fines and forfeitures arising by this Act shall and may be sued for and recovered by and in the Name of the said Clerk before the Mayor Deputy Mayor Recorder and Aldermen of the said City of New York or any one of them who are hereby Authorized and Impowered to hear and determine the same and all the said Fines and forfeitures and such part of the Penalty of any Recognizance Recovered and unapplied as aforesaid shall be paid into the Hands of the said Master and Wardens or any three or more of them and by them applied towards Defraying such Necessary Expenses as they shall be put to in the Discharge of the Trust reposed in them. And the said Clerk is hereby Ordered and Required to enter into Bond with good Security to the said Master and Wardens in the sum of Five hundred pounds for the faithful discharge of the Duty and Trust Reposed in him by this Act.

AND Be it further Enacted that the Pilotage which shall or may become due to any of the Pilots who take the Charge of any Vessels outward Bound shall be paid or Secured to be paid to

the said Clerk before the breaking Ground of such Vessel in the Port of New York, and in case the said Pilot for whose use such money is paid shall fail in doing his Duty the money to be Returned or the Security to be Void as may happen to be the Case.

BE it further Enacted that the Master or Owners of every Vessel going out of this Port shall pay to the Clerk of the Master and Wardens of the Port of New York in case he or they shall carry off any Pilot or Deputy Pilot, for the use of such Pilot or Deputy Pilot after the Rate of Six pounds per Month till he can return to this Port provided the Pilot or Deputy Pilot performs the Duties of him required by this Act.

AND be it also Enacted by the authority aforesaid that during the Continuance of this Act it shall and may be lawfull for the Lieutenant Governor or Commander In Chief of this Colony for the time being by and with the advice and Consent of his Majesty's Council to appoint so many Branch Pilots as shall be Judged necessary for the safe Pilotage of Vessels (when Required) through the Channel in the East River Commonly called Hell Gate to and from the Port of New York, the Master and Wardens aforesaid to Establish the Pilotage and also to make such Rules and Regulations for the Ordering and Direction of the said Pilots as shall be by them Judged necessary and Expedient.

AND be it also further Enacted by the same authority that in Consideration that the said Master and Wardens to be appointed by Virtue of this Act must Necessarily give their attendance to the Duty of their Offices respectively of them by this Act required they shall not be liable to serve as Grand or Petit Jurors during their Continuance in the said Offices.

AND be it further Enacted that this Act shall be in force from and after the first Day of January next until the first Day of January which will be in the year One thousand seven hundred and Sixty Eight.

## [CHAPTER 1216.]

[Chapter 1216 of Van Schauck, where the title only is printed.]

An Act to Impower Sir William Baker Knight and Robert Charles Esquire of London to receive the sum that shall be allotted to this Colony by his Majesty, out of the sum of one hundred and Thirty three Thousand, Three hundred and Thirty three pounds six Shillings and Eight pence granted by Parliament for the Northern Colonies towards Defraying the Expence of the Campaign of the year One thousand Seven hundred and Sixty One.

[Passed, December 13, 1763.]

WHEREAS the Parliament of Great Britain did Grant the sum of one hundred and Thirty three Thousand three hundred and Thirty three pounds six shillings and Eight pence for the Northern Colonies, in Consideration of the Great Expences they have been put to in Levying paying and Cloathing a Large Body of Troops in the Year One thousand seven hundred and sixty one, to assist his Majesty's General and Commander in Chief in securing the Conquest of Canada, and no Person being authorized to receive the proportion which his Majesty shall be Graciously pleased to allot to this Colony.

Be it therefore Enacted by his Honour the Lieutenant Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same, That Sir William Baker Knight and Robert Charles Esquire, shall be and hereby are Authorized and Impowered, to Receive all such sum and sums of Money as are or shall be allotted by his Majesty for this Colony, out of the said sum of One hundred and thirty three Thousand, Three hundred and thirty three pounds six shillings and Eight pence, which said part or Proportion of Money, the said Sir William Baker Knight and Robert Charles Esquire, are hereby Directed to pay to the Order of the Treasurer of this Colony who is hereby Authorised and Required upon Advice of the said Money being paid into the Hands of the said Sir William Baker Knight and Robert Charles Esquire to Draw Bills for the same, and to sell the said Bills to the best advantage, and to keep true

and Exact accounts of the money that shall come to his Hands by the sale thereof.

AND BE IT FURTHER ENACTED by the Authority afore-said, That all the money that shall be received by the Treasurer by Virtue of this Act shall remain in the Treasury until it shall be disposed of by act or Acts hereafter to be passed for that purpose.

[CHAPTER 1217.]

[Chapter 1217 of Van Schaack, where the act is printed in full.]

An Act Impowering those who shall be appointed Foremen of Grand Juries to administer the usual Oath to such Witnesses as are to be examined before them.

[Passed, December 13, 1763.]

WHEREAS the sending those Witnesses who are required to give Evidence to Grand Juries to be sworn by the Court or a Justice of the Peace is attended with many inconvenient Delays, for Remedy thereof.

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly, And it is hereby Enacted by the Authority of the same, that every Person who shall hereafter be appointed Foreman of a Grand Jury shall be from the time of his being appointed till his Discharge impowered and Authorized to administer the usual Oath to such Witnesses as shall come to give Evidence to the Grand Jury whereof he is Foreman.

[CHAPTER 1218.]

[Chapter 1218 of Van Schaack, where the title only is printed.]

An Act to Impower and Enable the Mayor Recorder and Aldermen of the City of New York to Order the raising a sum not Exceeding Fourteen hundred pounds for the purposes therein mentioned.

[Passed, December 13, 1763.]

Inasmuch as the lighting of Lamps and providing a Sufficient Number of Watchmen within the City of New York, is not only Convenient but also necessary for the safety of the Inhabitants thereof.

Be it therefore Enacted by his Honour the Lieutenant Governor the Council and the General Assembly, And it is hereby Enacted by the Authority of the same, That the Mayor Recorder and Aldermen of the City of New York for the time being, or the Major part of them, whereof the Mayor or Recorder to be one, shall have full power and Authority, and are hereby fully Impowered and Authorized, on the second Tuesday in January next, to Order the raising a sum not Exceeding fourteen hundred pounds, by a Tax upon Estates Real and Personal of all and every the Freeholders Freeman, Inhabitants Resident and Sojourners, within the City of New York to the South side of Fresh Water, for the payment of so many Watchmen, as the Mayor Aldermen and Commonalty of the City of New York shall think necessary for guarding the said City and for purchasing of Oyl and attending the Lamps, which now are or hereafter may be within the said City, and add the said sum of Fourteen hundred pounds to the sum which shall be raised for the Minister and Poor of said City, which Tax so to be Laid shall be Rated and assessed at the same time and by the vestrymen who shall Rate and assess the Tax for the Minister and poor of the said City and shall be Rated together in one Assessment made of the whole, the Vestrymen first taking the Oath prescribed to be taken in and by an act Entitled An Act to Enable the Inhabitants of the City of New York to Chuse two Vestrymen for each respective Ward within the said City, made and passed in the Nineteenth year of the Reign of his late Majesty King George the second, and the Tax so to be made, shall be Collected Levied and paid at the same time and in the same manner as the Tax for the maintainance of the Minister and Poor of the said City hath been accustomed, into the hands of the Church Wardens of the said City for the time being who are hereby required and Directed to pay the same into the Hands of the Chamberlain of the said City to be by him paid as he shall be directed, by Warrant or Warrants of the said Mayor Aldermen and Commonalty, in Common Council Convened for the uses aforesaid.

AND be it Enacted by the Authority aforesaid, that over and above the sum of Fourteen hundred pounds to be Levied and paid by Virtue of this act, the sum of Three pence in the pound, as a Reward to the Constables for their Extrordinary Trouble, shall be assessed Levied and paid to the respective Constables for Collecting and paying the same and no more, according to



the true Intent and meaning of this Act, any thing herein or in any other Act or acts Contained to the Contrary hereof in any wise Notwithstanding.

AND be it further Enacted by the Authority aforesaid that if the said Mayor Recorder or aldermen, the Church Wardens, Vestrymen, or Constables, of the said City of New York, who are hereby authorised, Impowered and Required to take Effectual care that this act be Executed according to the true Intent and meaning thereof, or any of them shall deny Refuse, or delay to perform Execute or comply with all or any of the Powers Authorities and Duties in this Act given and Required to be done and performed by them, or either of them, and thereof shall be lawfully Convicted in any Court of Record within this Colony, he or they so denying Refusing or Delaying to perform the Duty as aforesaid, shall suffer such pains and Penalties, by fine and Imprisonment, as by the Discretion of the Justices of the said Court shall be adjudged to be Sued for and Recovered by the Person or Persons Aggrieved thereby, or by any other Person or Persons who shall sue for and prosecute the same to Effect.

AND be it further Enacted by the Authority aforesaid that if any Person or Persons shall break or willfully Damage any of the Lamps now Erected or to be Erected within this City be, she, or they so offending shall forfeit the sum of Twenty pounds for every such Offence, to be levied by warrant or warrants under the Hands and Seals of Two or More of his Majesty's Justices of the Peace for the City and County of New York, by Distress and Sale of the Offenders Goods, on due Conviction, upon the Oath of one or more Credible witness or witnesses, rendering the Overplus, if any there be to the Owner or owners, and for want of such Distress, the Offender or Offenders shall be Imprisoned by warrant under the Hands and Seals of said Justices, who are hereby required to Issue the same for the space of Three Months unless the said Forfeiture be sooner paid, to be applied to and for the use and Maintainance of the said Lamps and paying the said Watchmen.

AND be it hereby further Enacted, that all such Watchmen as shall be Employed to Guard the said City and attend the said Lamps shall be under the Direction and Obey such Orders as they shall from time to time receive from the said Mayor Aldermen and Commonalty, any Custom Law or Usage to the Contrary hereof in any wise Notwithstanding.

## [CHAPTER 1219.]

[Chapter 1219 of Van Schaack, where the title only is printed.]

An Act to Raise Levy and Collect a sum not Exceeding Two hundred pounds in the City and County of Albany to finish and Compleat two Goals in the Court House in the said City.

[Passed. December 13. 1763.]

WHEREAS several sums of Money have been Raised by Virtue of several Acts of this Colony from the Inhabitants of the City and County of Albany for and towards building the Court House and Goal in the said City which sums have proved Insufficient for that purpose.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly, And it is hereby Enacted by the Authority of the same that the Supervisors of the said City and County shall and they are hereby Directed and Required at their first meeting after the publication of this Act to Order to be Assessed Levied and Collected of and from the several Freeholders Inhabitants and Sojourners within the said City and County of Albany the sum of Two hundred pounds over and above the annual County Charge and the said Two hundred pounds so to be Raised shall be Assessed Levied Collected and paid in the same manner as the other necessary and Contingent Charges of the said City and County usually are, and shall be paid by the City and County Treasurer into the hands of such Persons as the Mayor Recorder and Aldermen or the Major part of them shall appoint as Managers for finishing the said two Goals and of the due disposition of the said sum of Two hundred pounds the said managers so appointed shall render an Account upon Oath when thereunto required by the Mayor Recorder and Aldermen of the said City or any three of them Always Provided and be it Further Enacted by the Authority aforesaid that in case the Two hundred pounds should be more than sufficient to Compleat the two Goals the overplus shall be applied towards defraying the Annual County Charge.

## [CHAPTER 1220.]

[Chapter 1220 of Van Schaack, where the title only is printed. Repealed as to Richmond county by chapter 1268. Expired January 1, 1765.]

An Act for the better Regulating the  
Taxation of Estates in the Counties of Rich-  
mond and Suffolk.

[Passed, December 13, 1763]

FORASMUCH as the Method heretofore Practised for the Taxation of Estates in the Counties of Richmond and Suffolk hath not been in that due Equal and Just proportion as it is conceived it may be, and as Justice and Equity demand that all the Freeholders and Inhabitants thereof should be Rated and Taxed in due proportion according to the Estates they Enjoy.

BE IT THEREFORE Enacted by his Honour the Lieutenant Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that from and after the publication of this Act each respective Town Manor or Precinct within the Counties of Richmond and Suffolk shall be and hereby are enabled to Chuse and elect yearly and every year at their annual meetings for the Choice of Town Officers such and so many Persons being Freeholders to be Assessors for the Respective Towns Manors and Precincts as the Majority of the Freeholders then assembled shall Judge necessary not exceeding four for each respective Town Manor or Precinct, And Forasmuch as the Inhabitants of several Districts in the County of Suffolk may neglect or Refuse to Chuse assessors and Collectors as aforesaid, BE IT ENACTED by the Authority aforesaid that it shall and may be lawfull for each and every Inhabitant being a Freeholder on Plumb Island and Fishers Island in the County of Suffolk to Joyn his or their Votes with the Freeholders and Inhabitants of Southhold for the Choice of Assessors and a Collector at their annual meeting aforesaid, And that it shall and may be Lawfull for each and every of the Inhabitants being a freeholder on the Isle of White to Join his or their Vote with the Freeholders and Inhabitants of Easthampton for the Choice of Assessors and a Collector at their annual meeting aforesaid and that it shall and may be Lawfull for each and every of the Inhabitants being a Freeholder of the District of Meriches to Join his or their Vote with the Freeholders and Inhabitants of Southampton for the

Choice of assessors and a Collector at their annual meeting aforesaid, and that it shall and may be Lawfull for each and every of the Inhabitants being Freeholders of Wintrops Patent so called to Join his or their Votes with the Freeholders and Inhabitants of Brookhaven for the Choice of Assessors and a Collector at their annual meeting aforesaid. And that it shall and may be Lawfull for each and every of the Inhabitants being Freeholders of Eatons Neck and Winnecomock to Join his or their Votes with the Freeholders and Inhabitants of Huntington for the Choice of assessors and a Collector at their Annual Meeting aforesaid which Assessors and Collectors so Chosen and Elected respectively shall be Assessors and Collectors for the several and Respective places for which the Inhabitants being Freeholders had Liberty to Joyn their Votes, which assessors so Chosen and Elected shall each of them before they enter on the Duty of their Office take an Oath or if Quakers an Affirmation to the following Effect to wit.

That they shall and will well truly equally and impartially according to the best of their knowledge skill and Judgment assess the whole Real and Personal Estates of all the Freeholders and Inhabitants of the respective Towns Manors or Precincts for which they shall be Chosen Assessors and of all such as have Estates there and not residing therein.

AND the said Inhabitants of the respective Towns Manors and Precincts shall be and hereby are Enabled and Impowered at their said Annual meetings to make such allowance for the service of their several and respective Assessors as the Majority of the Freeholders and Inhabitants then present shall Judge sufficient, which said allowance shall be added to and raised with the Tax annually raised for the maintainance of the Poor of the said respective places and Collected and paid accordingly.

AND be it Enacted by the Authority aforesaid that the Assessors so Chosen and Qualified as aforesaid shall as soon as they conveniently can after such Qualification proceed in making their assessments and shall make out a true and Exact list of all the Names of the Freeholders and Inhabitants of the respective Towns Manors and Precincts for which they shall be Chosen assessors and of such who have Estates therein and not Residing there, and against the Name of every such Person shall set down the value of all his or her whole Estate Real and Personal as Nigh as they can discover the same setting down for every Lun

dred pounds real Value four pounds, and in that proportion for a greater or lesser sum, which List they shall Compleat and Deliver unto the Supervisors of the said Counties or unto their Clerks on or before the first Tuesday in June after their said Election: from the sum total of which Assessment Lists so brought in and delivered to the Supervisors as aforesaid from the respective Towns Manors and Precincts for which they are respectively Chosen they the said Supervisors shall Exactly Compute what each Pound of the said sum Total is or ought to be Charged with of the sum or sums which are from time to time to be raised on the said Counties, which having found they shall then add in every of the said Lists over against each Persons Name and the sum at which his or her Estate is Assessed, the particular sum which his or her Estate is Rated at or Charged with of what is then to be raised on the said Counties adding thereto at what rate per pound the Computation is made which being done, the said Supervisors shall Transmitt the said Lists so Completed, unto the Collectors of the respective Towns Manors and Precincts from which the said Lists were brought, with Warrants under their Hands and Seals thereto annexed Commanding the said Collectors respectively to Collect of and from all and every the Person and Persons Contained in the said Lists their Executors or administrators, the several and respective sums at which their Respective Estates are thereby Rated, with power to Distrain for the same in case any Person or Persons shall Refuse or Neglect to pay what their Estates are so rated at, and Directing the said Collectors to pay all the said sum or sums of Money so Collected according to the directions of the several Act or Acts by which the same are or may be laid on the said Counties any thing contained in any of the Acts of this Colony to the Contrary hereof, Notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any Assessor or Assessors Chosen and Elected by Virtue of this Act shall either Refuse to take the Charge upon him or them or having accepted the same shall Neglect his or their Duty therein, each so refusing or Neglecting shall respectively forfeit the sum of Five pounds to be Recovered by the Supervisors of the said Counties or any two of them with full Costs of suit, before any one of his Majesty's Justices of the Peace for said Counties and be by them applyed towards paying the necessary and Contingent Charges of the said Counties in



such manner as the said Supervisors shall think proper, And the said Assessment lists made by such as shall and do accept of the same and do their Duty therein shall be as good and Effectual as if all the Assessors chosen Elected and Qualified as aforesaid had Joined therein.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if there be any Landed Estates lying within any of the said Towns Manors or Precincts whereon no Persons are Resident and no moveable Effects thereon whereof Distress can be made then it shall be Lawfull for the Collector or Collectors of such Towns Manors or Precincts wherein such Landed Estates do so lie and they are hereby Authorized and impowered to enter on such Lands and Cut and Carry off so much of the Timber or Grass growing or being thereon, as will be Sufficient to pay what the said Estate or Estates is or shall be rated at, with all Costs and Charges arising thereon; any Law usage or Custom to the Contrary Notwithstanding.

AND BE IT ENACTED by the Authority aforesaid that this Act shall be in force to the first Day of January One thousand Seven hundred and Sixty five.

[CHAPTER 1221.]

[Chapter 1221 of Van Schaack, where the act is printed in full.]

An Act to Enable the Freeholders and Inhabitants of the Manor of Fox Hall in Ulster County to Chuse Assessors and one Collector and the Freeholders and Inhabitants of the Precinct of Memakattung in the said County to Chuse a Collector

[Passed, December 13, 1763.]

WHEREAS the Freeholders and Inhabitants within the Manor of Fox Hall are not Enabled by Law to Chuse and Elect two Assessors and one Collector, and the Freeholders and Inhabitants of the Precinct of Memakattung are also not enabled to Chuse and Elect a Collector and for want of such Officers many Inconveniencies and Disputes have arisen and will Continue to arise if not Remedied.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor, the Council and the General Assembly and it is hereby Enacted by the Authority of the same, That the Freeholders and Inhabitants of the Manor of Fox Hall shall meet

and Assemble at the now Dwelling House of Jacobus Van Gausbeek on every first Tuesday in April Yearly and every Year, and there Chuse and Elect by Majority of Voices Two Assessors and one Collector to serve for the ensuing Year for the Manor of Fox Hall, and the Freeholders and Inhabitants of the Precinct of Memakattung shall at their Annual meeting Yearly and every year when they Chuse and Elect their other Officers also Chuse and Elect one Collector to serve for the Ensuing Year for said Precinct, which Assessors and Collectors in their aforesaid respective Manor and Precinct when so Chosen and Elected, shall be vested with and have the same Authorities and Powers, and be subject to the like Rules Regulations and Penalties as the like Officers in the other Precincts and Towns in said County are by Law Invested with and Subjected to.

#### [CHAPTER 1222.]

[Chapter 1222 of Van Schaack, where the title only is printed.]

An Act to enable the Supervisors of Suffolk County to raise the sum of Three Thousand and forty one pounds, Sixteen Shillings and four pence three farthings, due from the said County on the Acts therein mentioned, and other incidental Charges of the said County.

[Passed, December 13, 1763.]

WHEREAS the Supervisors of Suffolk County through the Neglect of several Assessors or other Persons in preparing Lists of Taxes on the first Tuesday in June last to be levied in the said County did omit to raise the sum of Three thousand and forty one pounds, Sixteen shillings and four pence three farthings due from the said County by Virtue of the five Acts following (Vizt) one Act passed the first of April in the year of our Lord One thousand seven hundred and fifty Six entitled An Act for raising paying and Subsisting One thousand seven hundred and fifteen effective Men Officers Included to be employed in Conjunction with the Neighbouring Colonies on an Expedition for Reducing the French Fort at Crown Point and carrying on an Offensive War against the Indians who infest the Western Frontiers of this Colony and other purposes therein mentioned for Nine hundred and Ninety seven pounds two shillings, one other Act passed the Twenty fourth of March in the year One thousand seven hundred and fifty Eight Entitled An Act for raising paying

and Cloathing two thousand six hundred and Eighty effective Men Officers included for forming an Army of Twenty thousand Men with the Forces of the neighbouring Colonies to invade the French Possessions in Canada in Conjunction with a Body of his Majesty's regular Troops and other Purposes therein mentioned for Six hundred and thirteen pounds One other Act passed the Seventh of March in the year One thousand seven hundred and fifty Nine entitled An Act for raising a supply of One hundred thousand pounds for levying paying and Cloathing Two thousand six hundred and Eighty effective Men Officers included for forming with the Forces of the Neighbouring Colonies an Army of Twenty thousand Men to invade in Conjunction with a Body of his Majesty's Regular Troops the French Possessions in Canada for emitting Bills of Credit for the like sum and for sinking and Cancelling the said Bills in short Periods for Eight hundred and forty three pounds Six Shillings and Eight pence, one other Act passed the Twenty second of March one thousand Seven hundred and Sixty entitled An Act for Levying paying and Cloathing two thousand six hundred and Eighty effective Men Officers included for forming an Army of Twenty thousand Men, with the Forces of the Neighbouring Colonies to reduce in Conjunction with his Majesty's regular Troops, Montreal and other Posts belonging to the French in Canada for emitting Bills of Credit for the sum of Sixty thousand pounds and for sinking and cancelling the said Bills in short Periods for the sum of Five hundred and Seventy five pounds, and one other Act passed the Eleventh of December One thousand Seven hundred and Sixty two Entitled An Act for raising and Collecting several arrears of Taxes laid by the several acts therein mentioned for Thirteen pounds Seven shillings and Eight pence three farthings amounting in the whole to the sum of Three thousand and Forty one pounds sixteen shillings and Four pence three Farthings aforesaid.

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby enacted by the Authority of the same that the Supervisors of the said County are hereby Authorised and required to meet and Assemble together on the first Tuesday in January next at the County Hall in the County aforesaid at which Time and place the Majority of the said Supervisors then and there met shall cause the aforesaid sums of Money amounting in the whole to Three thousand and Forty one pounds Sixteen Shillings and four pence

three Farthings unpaid and due from the said County on account of the several Acts before mentioned to be raised Assessed levyed and collected in the same manner and under the same restrictions as are contained in the said several Acts and the several Collectors of the said County are hereby directed to pay the several sums of money so to be raised assessed levyed and Collected unto the Treasurer of the said County on or before the Twenty fifth Day of March then next following, and the said County Treasurer is hereby Ordered and required to pay the same unto the Treasurer of this Colony on or before the first Tuesday in May then next following and by him to be applyed in the same manner and for the same purpose as in and by the aforesaid Acts he is directed.

AND BE IT ENACTED by the Authority aforesaid that it shall and may be Lawfull for the Supervisors aforesaid or the Major part of them and they are hereby required and directed at their aforesaid meeting to cause all the necessary and Contingent Charges of the said County due at that time to be raised Assessed levyed and collected in the same manner as the other necessary and contingent Charges of the said County used to be raised assessed levyed and Collected, and the said several Collectors are hereby directed to pay the same necessary and Contingent Charges so to be raised assessed levyed and collected unto the Treasurer of the said County on or before the Twenty fifth day of March then next following to be by him applyed as he shall be by the Supervisors aforesaid or the Major part of them directed at their meeting aforesaid.

[CHAPTER 1223.]

[Chapter 1223 of Van Schnack, where the act is printed in full. See chapter 662.]

An Act Directing when the Supervisors  
and Assessors of Dutchess County shall meet.

[Passed, December 13, 1763.]

WHEREAS according to several Acts of the Legislature of this Colony the Supervisors and Assessors of Dutchess County are Obliged to meet annually on the first Tuesday in February for supervising and Assessing the County Charges, and on the first Tuesday in June Annually to Assess and lay the Quotas of the several Taxes for raising several sums of Money appointed to be paid unto the Treasurer of this Colony all which with less Expence and Inconvenience might or will be done at one meeting.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly And it is enacted by the authority of the same, that the Supervisors and Assessors of Dutchess County shall and are hereby required to meet for both the purposes aforesaid on the first Tuesday in June annually. And shall have power to adjourn from Day to Day till the Business which before the making of this Act they were required to do at their several meetings in February and June as aforesaid shall be Completed any usage Law or Custom to the contrary notwithstanding.

[CHAPTER 1224.]

[Chapter 1224 of Van Schaack, where the act is printed in full.]

An Act for the Relief of the Poor in the Manor of Cortlandt in the County of Westchester

[Passed, December 13, 1762.]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same, That it shall and may be lawfull for the Freeholders and Inhabitants of the Manor aforesaid at their Annual meeting for Electing Officers, to chuse and Elect at the same time three Persons being Freeholders of the said Manor to be overseers of the Poor for the ensuing year by a Majority of th Freeholders and Inhabitants of the said Manor then present.

AND BE IT ENACTED by the Authority aforesaid That the said Overseers or the greater part of them respectively by and with the Consent of two or more Justices of the Peace dwelling in the said Manor shall take Order from time to time for setting to work all such Persons as have no Visible means to maintain themselves and also to raise a Competent sum of Money yearly to purchase proper materials to employ and Subsist the Poor that are or shall be a burthen on the said Manor and for putting poor Children Apprentices, which sum of Money they the said Overseers with Consent as aforesaid are hereby authorized and required to ascertain, and the same being so ascertained shall be assessed levied and Collected by Warrant from the said Justices directed to the Assessors and Collectors of the said Manor in the same manner as the other Necessary and Contingent Charges of the said County are, And the same being so assessed levied and Collected shall be paid unto the overseers of the Poor of the said



Manor on or before the Twenty Fifth Day of March in every Year for the uses aforesaid.

AND BE IT ENACTED by the authority aforesaid that the said Overseers or the Major part of them by and with Consent as aforesaid are hereby Impowered to bind apprentices all Children who are or shall be a burthen on the said Manor and whose Parents shall not by the Overseers and Justices as aforesaid be thought able to keep and maintain them where they the said overseers and Justices as aforesaid shall see Convenient til such Children, if male, respectively come to the age of Twenty one years and if Female to the Age of Eighteen.

AND be it further Enacted by the authority aforesaid that the overseers or Major part of them by and with Consent as aforesaid shall have power to hire in the Manor aforesaid for the dwelling of the Poor and setting them to work some fit and Convenient place at the Charge of the said Manor which Charge shall be ascertained Assessed levied Collected and paid as above.

AND be it Enacted by the authority aforesaid that the said Overseers or such of them as have received such sum or sums of Money shall meet together once every year at the least in the said Manor and shall render upon Oath unto two such Justices of the Peace as aforesaid a true and perfect account of all such sum or sums of Money by them so received and applied as aforesaid and all such sum or sums of Money as shall be in their Hands shall pay and deliver over to the overseers respectively who shall be Elected in the said Manor for the next ensuing year upon penalty of double the sum of the Money by them so received and not accounted for, to be recovered before one Justice of the Peace of the County aforesaid to be applied to and for the Relief of the Poor of the said Manor.

#### [CHAPTER 1223.]

[Chapter 1225 of Van Schaack, where the title only is printed. Expired January 1, 1766.]

An Act to appoint Commissioners for  
Licencing Taverns and reducing their Num-  
ber in Dutches County.

[Passed, December 13, 1763]

WHEREAS a very great Number of mean Taverns and Tipping Houses have lately been opened in Dutches County afford-  
ing no proper Entertainment for Travellers, tending manifestly

to corrupt the Morals of Youth and to render Slaves vicious and unserviceable, and which are, to the great detriment of the Publick, introductive of Indleness, Drunkenness and Debauchery, therefore to remedy this great and growing evil.

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same, That in each Precinct in Dutchess County, the Justice or Justices of the Peace in the said Precinct residing, the Supervisor, the Assessors, and the overseers of the Poor in each respective Precinct are hereby appointed Commissioners for licencing all Inns or Taverns in said Precincts, and shall meet together for that purpose at some Convenient place and Time, in their respective Precincts, to be appointed by the first Justice of the Peace residing in the said Precinct, and in case no time and place be appointed and Noticed to the said Commissioners before the Third Tuesday in January then the said Commissioners shall meet at the place where the Election of the annual Officers of said Precinct was last held and on such other Day and at such other places as they shall think proper to adjourn to, and a Majority of such of the Commissioners as shall meet for that purpose shall have power to regulate and determine in their respective Precincts what Persons shall have Liberty to keep Inns or Taverns and where the said Inns or Taverns shall be kept, and shall give Licences for that Purpose under their Hands and Seals.

AND IT IS further enacted that no Person shall presume to keep an Inn or Tavern or sell Spiritous Liquor to be drunk in his or her House who has not a Licence under the Hands and Seals of the aforesaid Commissioners or of such a Majority of them as is hereby Authorised to give the same under the Penalty of Twenty pounds, Notwithstanding any other Licence given or to be given for that purpose neither shall any other Licence in Dutchess County be Necessary, which Penalty may be recovered in any Court of Record in this Colony one half to the use of whoever will sue and prosecute the same to Effect, the other half to the use of the Poor where the offence is committed.

AND BE IT FURTHER ENACTED that no Person Licensed as aforesaid shall keep an Inn or Tavern till he has agreed with the Commissioners of Excise and has entered into a Recognizance to keep an Orderly House as directed by the act passed this Sessions entitled "An Act for collecting the duty of Excise on Strong

Liquors Retailled in this Colony from the first Day of January One thousand Seven hundred and Sixty four to the first Day of January One thousand Seven hundred and Sixty five, Inclusive " any thing in this Act contained to the Contrary Notwithstanding.

AND be it further Enacted that if any Person shall keep an Inn or Tavern and not keep sufficient Entertainment at least for two Men and two Horses That is to say Diet and Lodging for the men, and Stabling and Provender for the Horses, upon Complaint thereof made to the General or Special Sessions of the Peace, his Licence may be suppressed unless the Court for particular reasons think proper to indulge the same.

AND BE IT ENACTED that the Commissioners hereby appointed shall receive Three shillings for a Licence by them given, This Act shall continue in force from the first of January next to the first of January which shall be in the year One thousand Seven hundred and Sixty six.

#### [CHAPTER 1226.]

[Chapter 1226 of Van Schaack, where the title only is printed.]

An Act for the payment of the Salaries and Services of the several Officers of the Government from the first Day of September One thousand seven hundred and Sixty three to the first Day of September One thousand Seven hundred and Sixty four, and other purposes therein mentioned.

[Passed, December 20, 1763.]

BE IT ENACTED by his Honour the Lieutenant Governor, the Council and the General Assembly and it is hereby Enacted by the Authority of the same, that the Treasurer of this Colony shall be and hereby is directed and required out of the Monies arisen or which may arise by Virtue of the three following acts VIZT An Act for granting to his Majesty the several duties and Impositions on Goods Wares and Merchandizes Imported into this Colony, therein mentioned, An Act for Emitting Bills of Credit for the payment of the Debts and for the better support of the Government of this Colony and other purposes therein mentioned, And An Act to restrain Hawkers and Pedlars from selling without Licence in this Colony to pay the several sums following VIZT.

UNTO his Honour the Lieutenant Governor for the Administering the Government of this Colony from the first Day of September One thousand seven hundred and Sixty three to the first Day of September One thousand seven hundred and Sixty four after the Rate of One Thousand Eight hundred pounds per Annum.

UNTO his Honour the Lieutenant Governor for providing the wood and Candles for his Majesty's Garrison in Fort George in the City of New York from the first Day of September One thousand Seven hundred and Sixty three to the first Day of September One thousand Seven hundred and Sixty four the sum of Four hundred pounds

UNTO the Chief Justice of this Colony for his Services in that Station and for going the Circuits from the first Day of September One thousand Seven hundred and Sixty three, to the first Day of September One thousand Seven hundred and Sixty four after the Rate of three hundred pounds per Annum

UNTO the Second Justice of the Supreme Court of this Colony for his Services in that Station and for going the Circuits from the first Day of September One thousand seven hundred and Sixty three to the first Day of September One thousand Seven hundred and Sixty four after the Rate of Two hundred pounds Per annum.

UNTO the Third Justice of the Supreme Court of this Colony for his Services in that Station and for going the Circuits from the Day of his Qualification to the first Day of September One thousand seven hundred and Sixty four after the Rate of Two hundred pounds per Annum.

UNTO the Fourth Justice of the Supreme Court of this Colony for his Services in that Station and for going the Circuits from the Day of his Qualification to the first Day of September One thousand Seven hundred and sixty four after the Rate of Two hundred pounds per Annum.

UNTO the Secretary of this Colony for the time being for Engrossing and Enrolling the Acts of the Governor Council and General Assembly from the first Day of September One thousand Seven hundred and Sixty three to the first Day of September One thousand seven hundred and sixty four the sum of Thirty pounds.

UNTO the Clerk of the Council for the time being for his Services in that Station from the first Day of September One thousand Seven hundred and Sixty three to the first Day of Septem

ber One thousand Seven hundred and Sixty four the sum of Thirty pounds.

UNTO the Door keeper of the Council for the time being for his Services in that Station from the first Day of September One thousand seven hundred and Sixty three to the first Day of September One thousand Seven hundred and Sixty four the sum of Twenty pounds.

UNTO William Weyman as Publick Printer of this Colony for his services in that Station from the first Day of September One thousand Seven hundred and Sixty three to the first Day of September One thousand Seven hundred and Sixty four after the rate of Fifty pounds per Annum.

UNTO John Kipp as Gauger of Liquor Subject to Duties within this Colony or to the Gauger thereof for the time being for his Services in that Station from the first Day of September One thousand seven hundred and Sixty three to the first Day of September One thousand Seven hundred and Sixty four after the rate of thirty pounds per Annum.

UNTO Thomas Hill and Josiah Smith Land and Tide waiters or to the Land and Tide Waiters for the time being for their Services in that Station from the first Day of September One thousand seven hundred and Sixty three to the first Day of September One thousand Seven hundred and Sixty four after the rate of Fifty pounds per Annum for each of them.

ALL which aforesaid several sums of Money shall be paid by the Treasurer on Warrants issued by his Honour the Lieutenant Governor or the Commander in Chief for the time being by and with the advice and Consent of his Majesty's Council of this Colony and the Receipts of the several Persons Indorsed on the said Warrants shall be to the Treasurer good Vouchers and Discharges for so much as shall be thereby acknowledged to be received.

AND BE IT ENACTED by the Authority aforesaid that the Treasurer shall be and hereby is directed and Required out of the Funds aforesaid to Pay the several allowances following Vizt.

UNTO Abraham De Peyster Esquire Treasurer of this Colony for his Services in that Station from the first day of September One thousand Seven hundred and Sixty three to the first Day of September One thousand Seven hundred and sixty four after the rate of Two hundred pounds per Annum.



UNTO the said Treasurer for the Extraordinary Services which he is now Obligated to perform beyond the usual Duty of his Office after the rate of the further sum of One hundred pounds per Annum.

WHICH said several sums or so much thereof as shall be really and truly due shall be allowed to the said Abraham De Peyster or to his Executors or administrators as good discharges for so much in his or their accounts.

UNTO the said Abraham De Peyster the sum of Six hundred and Sixty two pounds which he paid unto John Cruger, Beverly Robinson and Peter Van Brugh Livingston Esquires on a Warrant drawn on him dated the Sixteenth day of December One thousand Seven hundred and Sixty Two, which Warrant was drawn by mistake, as that sum was Appropriated by an Act passed the Eleventh December One thousand seven hundred and sixty two Entitled An Act for Repaying the Treasurer of this Colony sundry sums of Money by him advanced for the service of this Colony and for other purposes therein mentioned, by which it appears that the said Warrant was Dated five Days after the Publication of that act.

UNTO Robert Charles Esquire Agent of this Colony in Great Britain as a Reward for his Care Trouble and Diligence in attending upon his Majesty and his Ministers of State in that Station from the first Day of September One thousand Seven hundred and Sixty three to the first Day of September One thousand Seven hundred and Sixty four after the rate of Two hundred pounds per annum, which said sum or so much thereof as shall be really and truly due shall be paid unto him the said Robert Charles or to his Executors or administrators by an Order of the General Assembly of this Colony Signed by their Speaker for the time being, and not otherwise.

UNTO the said Robert Charles Esquire or his Order for sundry Extrordinary Services the further sum of Two hundred pounds.

UNTO John Tabor Kempe Esquire his Majesty's Attorney General of this Colony for several Extrordinary services performed by him in that Station the sum of One hundred and Fifty pounds.

TO William Livingston and William Smith Junr Esqrs for Revising the Laws of this Colony from the year One thousand Seven hundred and fifty two to the Year One thousand seven hundred and Sixty two the sum of One hundred and Seventeen pounds Eleven shillings and Ten pence.

TO Edmond Mathews as Major in the service of this Colony in the years One thousand Seven hundred and fifty five and One thousand Seven hundred and fifty six the sum of Nine pounds paid him short of his Demand for Services aforesaid.

TO the aforesaid William Weyman for Printing the Laws of this Colony from the year One thousand Seven hundred and fifty two to the year One thousand Seven hundred and Sixty two, the sum of One hundred and Thirty five pounds.

UNTO Abraham Lott Junior as Clerk of the General Assembly for his services in that Station from the first Day of September One thousand Seven hundred and Sixty three to the first Day of September One thousand Seven hundred and Sixty four, Twenty shillings per Diem payable upon a Certificate from the General Assembly signed by the Speaker for the Number of Days he has served or may serve the General Assembly.

To the said Abraham Lott Junior for sundry Disbursements for the use of the General Assembly as per his account the sum of Sixty nine pounds Nine Shillings, and Nine pence.

UNTO Alexander Lamb Door keeper of the General Assembly for his Services in that Station from the first Day of September One thousand Seven hundred and Sixty three to the first DAY of September One thousand Seven hundred and Sixty four six Shillings per Diem payable upon a Certificate from the General Assembly signed by the Speaker for the Number of Days he has served or may serve the General Assembly.

UNTO the said Alexander Lamb for sundry Disbursements and Extrordinary Services made and performed by him for the use of the General Assembly the sum of Thirty pounds.

BE IT ENACTED by the Authority aforesaid that for answering the Expence of Contingencies and extraordinary Emergencies that have or may happen for the service of this Colony from the First of September One thousand Seven hundred and Sixty three, to the First of September One thousand seven hundred and sixty four, Warrants may Issue for the same on the Treasurer from time to time if Drawn by the Lieutenant Governor or Commander in Chief for the time being with the advice and Consent of the Council which the Treasurer is hereby Ordered and Directed to pay out of the Monies arising by Virtue of the several Acts herein before mentioned. Provided the amount of the said Warrants do not Exceed the sum of One hundred pounds during that time.

AND BE IT ENACTED by the Authority aforesaid that the sum of Two thousand five hundred and Thirty seven pounds Seventeen Shillings and Nine pence in the Treasury by Virtue of an Act passed in the second year of his Majesty's Reign Entitled "An Act for levying paying and Cloathing One thousand Seven hundred and Eighty Seven Effective Men Officers included to be employed in North America for securing his Majesty's Conquests there, and for other purposes therein mentioned," shall by the Treasurer of this Colony be placed to the Credit of his account on an Act passed in the Third year of his Majesty's Reign Entitled "An Act providing for One hundred and Seventy three Voluntiers Officers included to be employed in Protecting the different Posts on the Frontiers to the first Day of July One thousand seven hundred and sixty three," to make up a Deficiency on Account of the said last mentioned Act.

AND BE IT ENACTED by the Authority aforesaid that the Treasurer shall and he is hereby Directed to keep Exact Books of the several payments which he is directed to make by this Act, and shall render true and distinct Accounts thereof upon Oath to his Honour the Lieutenant Governor or Commander in Chief for the time being, the Council or the General Assembly when by them or any of them he shall be thereunto required.

#### [CHAPTER 1227.]

[Chapter 1227 of Van Schanck where the title only is printed. See chapter 1099. Expired January 1, 1770.]

An Act to Continue an Act Entitled An Act to empower Justices of the Peace Mayors, Recorders and Aldermen to Try Causes to the value of Five pounds and under, and for repealing an Act therein mentioned.

(Passed, December 20, 1763)

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same, that the Act Entitled An Act to Impower Justices of the Peace Mayors, Recorders and Aldermen to try Causes to the value of five pounds and under, and for repealing An Act therein mentioned, passed in the Thirty third year of the Reign of his Late Majesty King George the second shall be and is hereby Continued, and every Clause article matter and thing in the said Act Contained, Enacted to be and

remain in full force, from the first Day of January next until the first Day of January which will be in the year One thousand Seven hundred and Seventy.

[CHAPTER 1228.]

[Chapter 1228 of Van Schaack, where a portion of the act is printed. Revived and continued by Chapter 1.17.]

An Act for raising Three Thousand pounds by way of Lottery to be laid out in a Bounty on Hemp to be raised in this Colony.

[Passed, December 20, 1763.]

WHEREAS the Ballance of Trade between Great Britain and this Colony is so greatly in Favour of the former and the Price of our Staple which is Flour is so low in the British West India Islands and that of their Produce must necessarily be rendered exorbitantly high, as it is absolutely impossible that they should be able to furnish to Great Britain Ireland and these Northern Colonies a supply of Sugar Molasses and Rum sufficient for their Consumption, so that the Ballance of this Trade will also soon be against us, From all which it is certain that we shall be so drained of Cash and impoverished that our Trade will be useless and unprofitable to our Mother Country, unless some other Staple be here raised which may Serve to make Returns for the Immense Quantity of British Manufactures Yearly consumed in this Colony, therefore it is thought expedient that an Encouragement should be given for the raising of Hemp, and for this Purpose that the sum of Three Thousand pounds should be raised by way of Lottery to be laid out in Bounties on all Hemp raised in this Colony.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly, And it is hereby Enacted by the Authority of the same, that for every hundred Weight of Good Merchantable dressed Hemp which shall be raised after the first of March next in this Colony and brought to the City of New York shall be allowed and paid by the Treasurer of this Colony out of the Monies which shall arise out of the Profits of the Lottery hereafter mentioned, a Bounty of Twenty shillings and in the same proportion for any Quantity not less than one hundred Weight to any Person who shall bring the same he producing a Certificate of the weight thereof and that it is good and Merchantable and dressed fit for the Rope

Makers use, from Elias De Grasse or John Long who are hereby appointed Inspectors of all Hemp on which a Bounty is to be allowed and shall receive for their Trouble from the Person employing them to inspect the same One shilling per hundred for every quantity not Exceeding five hundred weight and six pence per hundred for every hundred more, and in order to Intitle any Person to the before mentioned Bounty it shall also be necessary to annex to the said Certificate an affidavit of the following Tenor sworn to before any Magistrate in the City of New York, A. B. being duly sworn Deposeth and Saith that he Certainly knows [or has affidavits to prove, as the case may be] that the Hemp mentioned in the above or the annexed Certificate was all raised after the first of March One thousand Seven hundred and sixty four in the Colony of New York in the County of [here mentioning the County] and that no Bounty has yet been paid for it or any part of it to the best of his Knowledge and belief, and further saith not, the Inspectors above mentioned before they enter on the Execution of their Office shall take an Oath faithfully to discharge the Duty of Inspectors according to the meaning of this Act.

BE IT FURTHER ENACTED by the authority aforesaid that John Cruger Philip Livingston Leonard Lispenard and William Bayard Esquires or the Major part of them shall be and hereby are fully Impowered and authorized to erect and Establish a Lottery to raise the sum of Three thousand Pounds, and shall have full power to employ under them fit persons to sell the Ticketts and to manage the Lottery, which Persons shall be allowed for their Trouble in managing the same two hundred pounds, and shall give Security in the same manner and Proportion as was directed by An Act entitled An Act for raising by a Publike Lottery for this Colony the sum of one thousand one hundred and twenty five pounds toward Erecting a New Goal in the City of New York passed in the thirtieth year of the Reign of his late Majesty King George the second and shall respectively take an Oath to the same Purpose as in the said Act was provided and directed for the true and faithful Discharge of their respective Trusts.

AND BE IT FURTHER ENACTED by the authority aforesaid that the said three thousand Pounds so to be raised by the said Lottery deducting the necessary Charges shall be paid by the Managers thereof to the Treasurer of this Colony, to be by him disposed of as by this Act is directed.



AND BE IT FURTHER ENACTED that if the Said Lottery shall not be drawn within six months after the first advertising the same that then the Monies received by the said Managers for Ticketts sold by Virtue of this Act shall be repaid to the Possessor or Possessors of the said Ticket or Ticketts.

AND BE IT ENACTED that if any Person or Persons shall forge or Counterfeit any Ticket or Ticketts to be made in Virtue of this Act or alter any of the Numbers thereof or bring any forged or Counterfeit Ticket or Ticketts whereof the Number is altered, knowing them to be such to the said Managers or either of them to the Intent to defraud the Colony or any adventurer in the said Lottery every such Person or Persons being thereof convicted in due form of Law shall be adjudged a Felon and shall suffer Death as in Cases of Felony without benefit of Clergy.

[CHAPTER 1229.]

[Chapter 1229 of Van Schaack, where the title only is printed. Expired January 1, 1771.]

An Act to Regulate the Guaging of Wine  
Rum and other Spirituous Liquors, Molasses,  
and other Purposes therein mentioned.

[Passed, December 20, 1753.]

WHEREAS great Abuses are Committed in Guaging of Casks of Wine Rum and other Spirituous Liquors, and Molasses sold in this Colony to prevent which.

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that all Casks Containing either Wine Rum or any other Spirituous Liquors or Molasses that shall be sold in the City of New York by the Gallon in Casks after the first Day of January which will be in the year One thousand seven hundred and Sixty five shall before the Sale thereof be Guaged by the sliding Gunter, Justly to ascertain the Number of Gallons contained in such Cask, which Guageing shall be performed by John Kipp Guager of Liquors subject to Duties within this Colony, or by the Guager thereof for the time being Or by Deputies by him appointed unless the Buyer and Seller agree to the Contrary, which said Guager and his Deputies shall first be duly sworn well and truly and faithfully to Execute the duty of the said Office for which Guaging he or they shall receive for each Cask so Guaged by him or them the sum of Four pence and no more.

AND BE IT FURTHER ENACTED by the Authority aforesaid that any Person or Persons that shall after the said first Day of January One thousand Seven hundred and Sixty five presume to sell any Wine Rum or other Spirituous Liquors Or Molasses without first causing the same to be Guaged in the manner above Directed, he she or they so Offending, shall pay for every such Offence the sum of Forty shillings to be Recovered as Debts of Five pounds and under are Recoverable in this Colony by any Person or Persons who shall sue for and prosecute the same to Effect with full Costs of suit.

AND BE IT ENACTED by the Authority aforesaid that all Madeira Wine Imported into this Colony after the Said first Day of January One thousand seven hundred and Sixty five shall be in Pipes Containing not less than One hundred and Twenty Gallons or in Hogsheads Containing not Less than Sixty Gallons or in Quarter Casks Containing not Less than Thirty Gallons, on the forfeiture of Ten Shillings for every Gallon found deficient on every Pipe Hogshead or Quarter Cask so Imported contrary to the meaning of this Act. The Contents of all which Pipes Hogsheads and Quarter Casks shall be ascertained Adjudged and Determined by the Publick Guager of this Colony or one of his Deputies, who shall receive as a Reward for Guaging every Pipe Hogshead or Quarter Cask the sum of Four pence and no more, to be paid by the Importer thereof, one half of which forfeiture shall be to the Person or Persons who shall sue for and prosecute the same to Effect, the other half to the Treasurer of this Colony to be applied for and towards the support of the Government of this Colony.

AND BE IT ENACTED by the authority aforesaid that this Act shall not be in force til the said first Day of January One thousand Seven hundred and Sixty five when it shall take place and continue to be in Force to the first Day of January which will be in the year of our Lord One thousand Seven hundred and Seventy one.

## [CHAPTER 1230.]

[Chapter 1230 of Van Schaack, where the title only is printed. Continued by chapter 1277. Expired January 1, 1772. Further provided for by chapter 1515.]

**An Act to Lay a Duty of Tonnage on  
Vessels for Defraying the Expence of the  
Light House on Sandy Hook.**

[Passed, December 20, 1768.]

**WHEREAS** it is very reasonable that the Expence of maintaining the Light House should be paid by those who receive the immediate Benefit thereof and for whose use it was Erected

**BE IT THEREFORE ENACTED** by his Honour the Lieutenant Governor the Council, and the General Assembly and it is hereby Enacted by the Authority of the same that all Vessels as often as they shall come into the Port of New York during the Continuance of this Act shall pay a Tonnage of three Pence for every Ton such Vessel and Vessels shall measure according to the rule hereafter mentioned except the Vessels herein particularly Excepted.

**AND BE IT ENACTED** by the authority aforesaid that the following Vessels shall be Exempted from the said Duty of Tonnage all Whaleing Vessels during the time such Vessels are Employed in Coasting or Whaleing, and all Coasting Vessels that shall not exceed Eighty Tons Burthen Carpenters Tonnage, and shall be wholly owned by Persons Dwelling and Residing within the Limits of Cape Henry Westward and Southward and New Hampshire Eastward both Inclusive and that the same shall be actually Loaded at and come from some Port or Harbour within the Limits aforesaid and shall return from hence to the place from whence she came, or some other place within the Limits aforesaid and there unload whatever Goods or Merchandize she took in, in this Colony.

**AND BE IT ENACTED** by the authority aforesaid, That every Master of such Vessel shall if required make oath before Josias Smith Clerk of the Master and Wardens of the Port of New York or the Clerk of the said Master and Wardens for the time being who is hereby Impowered to administer the same, That according to the best of his Knowledge and belief such Vessel is a Coasting Vessel within the true Intent and meaning of this act, and in case such Master shall refuse to take such



Reports as aforesaid, BE IT ENACTED by the authority aforesaid, That if it should be suspected a short Report hath been made of any Vessel Subject to the said Duty of Tonnage it shall be Lawfull for the Officer Qualified to receive the said Duty, either Personally or by a fit Person on Oath to survey and Measure the Vessel so suspected and if it be found she hath been Reported short the Master or Commander thereof who made such short Report, shall forfeit for every Ton so Reported short Five shillings.

BE IT ENACTED by the same authority that the said Duty of Tonnage of all and every Vessel by this act Subject to pay the same shall be paid by the respective Masters or Commanders thereof within six Days after her arrival in this Colony, and every Master and Commander of such Vessel who shall fail to make such payment as aforesaid within the time above mentioned shall pay Double the Tonnage herein before directed.

AND to prevent Disputes Concerning the Contents of Vessels hereby made Liable to the said Duty of Tonnage, Be it Enacted by the authority aforesaid, that the same shall be computed in manner following. That is to say of the length from the fore part of the Taffril to the Fore part of the Stern, Three fourths shall be deemed the length of her Keel, which shall be Multiplied by her Breadth upon the Deck at the Main or Midship Beam from the outside Planks on both sides, and the Product thereof shall be Multiplied by half of the said Breadth which shall be deemed the Depth of the Hold, and the whole Divided by Ninety five and the Quotient of such Division shall be the Contents of the Tons of such Vessel if she have only a Single Deck, but if she have two Decks, one half of the Depth between Decks shall be added to the Depth of the Hold, and the same being Multiplied in the manner above Directed, the whole is to be Divided by the said Number Ninety five and the Quotient of such Division shall be the Contents of the Tons of a two Deck Vessel.

AND TO THE END the Good Intent of this Act may not be Defeated BE IT ENACTED by the authority aforesaid that if any Officer belonging to his Majesty's Customs in this Colony shall Clear any Vessel, by this Act liable to the said Duty of Tonnage before it shall appear to such Officer by a Certificate or a Receipt under the Hand of the Person hereby appointed to receive the said Duty that the same is paid and discharged, for such Vessel every such Officer of the Customs so Clearing such



Vessel, without such Certificate or Receipt as aforesaid shall forfeit and pay Double the sum that ought to have been paid for the Tonnage of such Vessel so Cleared Contrary to the meaning of this Act to be received and applied in the manner as aforesaid.

AND BE IT FURTHER ENACTED by the authority aforesaid that Josias Smith Clerk to the Master and Wardens of the Port of New York or the Clerk of the Master and Wardens for the time being shall be and hereby is appointed authorised Impowered and Required to receive and Collect the Duty of Tonnage to arise by Virtue of this act and if need be to sue for the same in his own Name to Administer the Oaths and affirmations and receive the Report before mentioned and also to sue in his own Name for the fines and forfeitures that shall be Incurred by any Person or Persons whatsoever for a Breach of this act or any part thereof and further to do and perform all other acts proper and necessary for securing and Collecting the said Duty and upon recovering it from any Master or Commander he is to give a Certificate or Receipt unto him or them for the same Gratis, but for the Report, and Oath or affirmation above mentioned he may Demand and receive one Shilling and no more, and he is hereby Enjoined to keep Exact Books of the said Duty of Tonnage and of what shall from time to time arise by the same, and to render Accounts thereof upon Oath to the Lieutenant Governor or Commander in Chief the Council or the General Assembly, when by them or any of them thereunto required. AND be it further Enacted by the authority aforesaid That the said Duty of Tonnage and all fines and forfeitures that shall or may arise for any Breach of this Act shall be sued for and Recovered before the Mayor Recorder and aldermen of the City of New York or any two or more of them whereof the Mayor or Recorder to be one.

AND be it Enacted by the authority aforesaid that all the Money to Arise by Virtue of this Act shall be paid to the Master and Wardens of the said Port of New York (the said Clerk for the time being first deducting for his Trouble in Collecting the said Money the sum of Five pounds for every hundred pounds he shall receive by Virtue of this Act and in that proportion for a greater or lesser sum) to be by them applied for and Towards the Maintaining supporting and Defraying the Expences of the Light House as the purchasing of Oyl Tallow or Coal the Hire of Proper Persons to take care that the Lights are properly kept

up the Lanthorn kept Clean, and the Light House and Dwelling House built near it for the reception of the Persons to have the care thereof kept in Good Repair.

AND BE IT FURTHER ENACTED by the authority aforesaid that the said Josias Smith or the Clerk of the Master and Wardens of the Port of New York for the time being shall previous to the taking on him the Execution of the Trust in him Reposed by this act take an Oath before the Mayor or Recorder of the City of New York that he will faithfully and honestly Execute what is of him Required by this act and shall also enter into Recognizance before the said Mayor or Recorder in the sum of Five hundred pounds with one surety in the sum of Two hundred and fifty pounds Conditioned that he will faithfully and Honestly Execute what is of him required by this act and that he will pay all the Monies by him to be received by Virtue thereof to the said Master and Wardens of the Port of New York excepting the allowance made him by this act, And the said Master and Wardens of the Port of New York are also hereby Enjoyned to keep Regular accounts of all their Receipts and payments in Virtue of this act and to render accounts on Oath to the Lieutenant Governor or Commander in Chief the Council or the General Assembly when by them or any of them they shall be thereunto required.

AND BE IT FARTHER ENACTED by the authority aforesaid that this act shall Commence on the first Day of May One thousand Seven hundred and sixty four, and Continue to be in force to the first day of January which will be in the year of our Lord One thousand seven hundred and Sixty Six.

## [CHAPTER 1231.]

[Chapter 1231 of Van Schaack, where the title only is printed.]

An Act Impowering John Cruger Robert R. Livingston, Philip Livingston Leonard Lispenard, and William Bayard Esquires to receive from the Colony of Pensilvania the sum of Four thousand, three hundred and Sixty Eight pounds, two shillings and six pence Sterling, overpaid to the said Colony out of the Parliamentary Grant for the Service of the year One thousand Seven hundred and Sixty.

[Passed December 20 1763]

WHEREAS It appears by a Written Instrument signed by Robert Charles Esquire Agent for the Colony of New York, Jasper Mauduit Esquire Agent for the Massachusetts Bay, John Tomlinson Esquire Agent for New Hampshire, Richard Jackson Esquire Agent for Connecticut, George Aufrere and John Barclay Esquires Agents for Pensilvania, Andrew Drummond Esquire Agent for New Jersey, Joseph Sherwood Esquire Agent for Rhode Island, and Edward Montague Esquire Agent for Virginia. That the said George Aufrere and John Barclay Esquires Agents for Pensilvania have received from the Right Honourable the Lords Commissioners of his Majesty's Treasury out of the Two hundred thousand pounds Granted by Parliament in the year One thousand seven hundred and Sixty one as a Compensation to the said Colonies for the Troops Raised Cloathed and paid by them respectively in the year One thousand seven hundred and sixty, the sum of Ten thousand Nine hundred and forty seven pounds sterling more than the proportion due to that Colony and that the proportion of this Colony of the said sum of Ten thousand Nine hundred and Forty seven pounds sterling so over paid as aforesaid is Four thousand three hundred and Sixty Eight pounds two shillings and Six pence sterling.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same that the said John Cruger, Robert R. Livingston, Philip Livingston, Leonard Lispenard and William Bayard or the Major part of them shall be and hereby are appointed authorised and Impowered to receive from

the said Colony of Pensilvania the said sum of Four thousand three hundred and Sixty Eight pounds two shillings and Six pence sterling, either by Bills of Exchange Payable in Great Britain or in Money as shall by them the said John Cruger, Robert R. Livingston, Philip Livingston Leonard Lispenard and William Bayard or the Major part of them be Judged Just and Equitable and also to give Receipts acquittances and Discharges, to the said Colony of Pensilvania for the sums of Money so by them received, which Receipts acquittances and Discharges shall be good and Effectual against this Colony for so much as shall therein be specified whether in part or in full and all the Monies by them the said John Cruger Robert R. Livingston, Philip Livingston, Leonard Lispenard, and William Bayard or the Major part of them, by Virtue of this Act to be received, they are hereby directed to pay to the Treasurer of this Colony who shall keep exact account of the same.

AND BE IT FURTHER ENACTED by the Authority aforesaid that all the Money that shall be received by the Treasurer of this Colony in Virtue of this Act shall remain in the Treasury until it shall be Disposed of by act or Acts hereafter to be passed for that purpose.

#### [CHAPTER 1232.]

[Chapter 1232 of Van Schauck, where the title only is printed. See chapter 1148. Continued by chapter 1309.]

An Act to Continue an Act Entitled An Act for the Relief of insolvent Debtors and for repealing the Acts therein mentioned, with an Addition thereto.

[Passed, December 20, 1763.]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and General Assembly And it is hereby Enacted by the authority of the same that the Act entitled An Act to continue An Act entitled An Act for the relief of Insolvent Debtors and for repealing the acts therein mentioned, passed in the first year of his present Majesty's Reign shall be and hereby is Continued and every Clause article matter and thing in the said Act contained, enacted to be and remain in full force, until the first Day of January which will be in the year of our Lord One thousand seven hundred and Sixty seven.

AND BE IT FURTHER ENACTED that every Petitioning Creditor before the Insolvent is Released shall be Obligated to

swear that the sum annexed to his Name in the Account to be Exhibited of all the Creditors is Justly due to him or will become due to him at some future time naming the time when, or if the Creditor be out of this Colony and Petitions by his Attorney, instead of the affidavit of the Principal it shall suffice if the Attorney swears that he Verily believes that the sum Claimed by him for the Person or Persons for whom he acts is Justly due to him or them.

[CHAPTER 1233.]

[Chapter 1233 of Van Schaack, where the act is printed in full]

An Act to prevent Hunting with Fire Arms in the City of New York, and the Liberties thereof

[Passed, December 20, 1763]

WHEREAS it has long been the practise of great Numbers of Idle and disorderly persons in and about the City of New York, and the Liberties thereof to hunt with Fire arms, and to tread down the Grass and Corn and other Grain standing and Growing in the Fields and Inclosures there, to the Great Danger of the Lives of his Majesty's Subjects, the Ruin and destruction of the most valuable improvements, the grievous Injury of the Proprietors and the great discouragement of their Industry.

IN ORDER therefore the more Effectually to punish and prevent such abuses as aforesaid BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same that if any Person or Persons whatsoever other than the Owner Proprietor or Possessor or his or her white servant or servants do and shall at any time or times from and after the Publication of this Act carry shoot or discharge any Musket Fowling piece or other fire arm whatsoever into upon or through any Orchard Garden Cornfield or other inclosed Land whatsoever within the City of New York or the Liberties thereof without Licence in writing first had and Obtained for that purpose from such Owner Proprietor or Possessor of such Orchard, Garden Cornfield or other inclosed Land or shall enter into or pass through any orchard Garden Cornfield or Mowing Ground in any of the aforesaid places without Fire arms and thereof shall be Convicted before any member of His Majesty's Council, either of the Justices of the Supreme Court or the Mayor Recorder or any one of the Aldermen of the City of New York for the time being by the



Oath of one Credible Witness or by Confession of the Party offending he she or they so offending shall severally forfeit and pay for every such Offence the sum of Twenty shillings to be recovered and applied in the manner herein after directed.

AND be it further Enacted by the Authority aforesaid that every Fine and Forfeiture which shall accrue upon or by Virtue of this Act shall be recovered with reasonable Costs not Exceeding ten Shillings by any Person or Persons who shall and will sue and prosecute for the same one half of such Fine and forfeiture when recovered and received to be applied to his her or their own use and the other half thereof to be paid by him her or them to the Church Wardens of the said City for the time being for the use of the Poor thereof.

AND be it further Enacted by the Authority aforesaid that every Offender who shall incur any such fine or forfeiture as aforesaid shall by warrant under the Hand and Seal of any member of his Majesty's Council, Justice of the Supreme Court or the Mayor Recorder or Aldermen before whom he or they shall be Convicted stand and be Committed to the Common Goal of the said City there to remain for the space of three Months unless the fine or forfeiture with Costs be sooner paid. Provided always that the Members of His Majesty's Council, and the Justices of the Supreme Court shall be at liberty to act in the execution of this law, or not, as to them shall seem fitting.

#### [CHAPTER 1234.]

[Chapter 1234 of Van Schanck, where the title only is printed. Expired January 1, 1770. Provided for by chapter 1441.]

An Act to Establish the Rates to be Taken for Wharfage of Ships and other Vessels, using the Wharfs within the Limits therein mentioned.

[Passed, December 20, 1763.]

WHEREAS the Owners and Proprietors of the several Wharfs and Water Lots lying upon and fronting Hudsons River within the City of New York, between the Southermost side of the Wharfe of John Livingston and Dirk Lesserts and the Northermost side of the Wharfe of Dirk Dye and Johannes Van Dalsen, by their Petition presented to the General Assembly, did set forth that the Petitioners or many of them had been at Great Charge and Expence in erecting and maintaining, and others

of them do Intend to Erect Wharfs and Docks on the several Water Lots of which they are Proprietors lying within the said City on Hudsons River aforesaid; And that it had been found that of Late by the Increase of Navigation and Shipping, many Vessels of considerable Burthen, have had Occasion to make use of the Wharfs and Docks already erected as aforesaid, by which means the same have been continually Impaired and Damaged, without any Satisfaction or Recompence made to the Owners thereof, there being no Law to fix and ascertain the Rates of wharfage for the same: And that from the Number of Shipping which might probably thereafter frequent the said Wharfs, it became a Matter of Considerable Importance to the Interest of the Petitioners, to have some regulations made respecting the Wharfage to be paid them, And that as they hop'd it would be thought reasonable that the Expence they had been and might be put to, in Erecting and keeping the said Wharfs in Repair, ought to be Recompenced by the like provision which has by a Law of this Colony been made respecting the wharfs fronting the East River of this City, the said Petitioners did therefore humbly pray, that the wharfage to be taken for Ships and other Vessels using the said wharfs erected and to be erected in Hudsons River aforesaid might by a Law of this Colony be established at the same Rates and under the like Regulations as are Established for the wharfs in the East River aforesaid And Whereas the Establishing free wharfs within this City under proper Regulations hath been found by Experience to Conduce greatly to the ease, Convenience, Increase and advantage of Trade and Navigation to and from the said City, in the lading and unlading of Vessels: And forasmuch as the Owners of such wharfs ought to meet with due and proper Encouragement for keeping and maintaining them from Time to Time, in good and sufficient Repair for the purposes aforesaid.

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly; And it is hereby Enacted by the Authority of the same, That from and immediately after the publication of this Act it shall and may be Lawful to and for the respective owners and Proprietors for the time being of the said wharfs already erected upon and fronting Hudsons River aforesaid and the respective Owners and Proprietors for the time being of all such other wharfs as shall or may be Erected upon, and fronting Hudsons River aforesaid, within the Limits herein

before mentioned to ask, demand recover and receive to and for their several and respective use and uses, for all Ships and Vessels using or that shall use the said wharfs already Erected or to be Erected as aforesaid on Hudsons River within the Limits aforesaid, from and after the Publication of this Act; of and from the Master or Owner or Owners of such Vessels respectively, the wharfage and rates following, that is to say, for each Ship, Brigantine, Schoonar or other Vessel of the Burthen of Sixty Tons or upwards, whilst Careening Loading or unloading at either of the said wharfs Erected and to be erected fronting Hudsons River within the Limits aforesaid, for each and every Day the sum of six Shillings current Money of this Colony, and for each and every such Vessel, not loading, unloading or careening but only lying fast to either of the said wharfs less than one week after the Rate of Two shillings for each Day; and for every Day more than a Week One Shilling and Six pence.

BE IT FURTHER ENACTED that the respective Master or Owner, or Owners of every Ship or other Vessel, which at any time after the publication of this Act, shall only lie fast to any or either of the said wharfs so erected and to be erected on Hudsons River, within the Limits aforesaid, shall be Obligated to move such Vessel or Vessels Off from thence, in order to make Room for and suffer any other Ship or Vessel to load unload or Careen thereat, and on Refusal or failure so to do, after Notice and request thereof made and given to the Master or Commander, or to any one of the Owner or Owners of such Ship or other Vessel, so only lying fast to such wharf, he or they shall pay to the Owner or Owners of such wharf for the time being, for the use thereof from the time of such Notice and Request, the same and the like Rates and wharfage, as ought to be paid by virtue of this Act, for the wharfage of such Ship or Vessel which shall be so really and bona fide intended to be Laden unladen or Careened there.

AND BE IT FURTHER ENACTED that the respective Master Commander, Owner and Owners of all and every Ship or other Vessel respectively, that shall after the Publication of this Act be made fast to any other Ship or Vessel that is or shall be fastned to any or either of the wharfs erected or to be Erected as aforesaid, and being so fastened to such other ship or Vessel, shall Load, unload or Careen there, shall be Subject and liable to pay, and shall pay to the Owner or Owners of such

wharf respectively for every such Ship or Vessel so fast to any other Ship or Vessel as aforesaid, and Loading, unloading or Careening there, the one half part of the Rates and wharfage which such Ship or Vessel, so fastened to any other ship or Vessel, should and would have been Subject and liable to pay by this Act, in case she were fastned to any or either of the said wharfs and there loaded, unloaded or Careen'd.

AND BE IT FURTHER ENACTED by the authority aforesaid, that for all Ships and other Vessels under the Burthen of Sixty Tons and of Twenty five Tons and upwards, there shall be paid by the Master Commander or Owner or Owners thereof respectively for every such ship and other Vessel lying fast, and for loading, unloading and Careening thereof respectively, at the several wharfs within the Limits aforesaid, one half part of the Rates and wharfage, which are herein before mentioned and provided to be paid for the like purposes, for Vessels of Sixty Tons and upwards; and for all Vessels under the Burthen of Twenty five Tons for Lying fast Loading unloading or Careening respectively at such wharfs, the one fourth part of the rates and wharfage which are herein before mentioned and provided as aforesaid to be paid for the like purposes for Vessels of the Burthen of Sixty Tons and upwards.

AND BE It further Provided and Enacted that all Coasting Vessels lying or that shall lie fast at any or either of the said wharfs on Hudsons River, within the Limits aforesaid, and not being Actually Loading, unloading or careening shall on request to the Master Commander Owner or Owners of such Coasting Vessel or Vessels respectively be made loose and moved off to make room for and suffer any Sea Vessel or Vessels paying a higher rate or wharfage, to come into her and their place and places to load unload or Careen there: And that on Neglect or Refusal so to do, the Master Commander or Owner of every such Coasting Vessel or Vessels respectively, shall pay such Rate and Rates for wharfage of such Coasting Vessel or Vessels, as the Master or Owners of such Sea Vessel or Vessels which really and bona-fide was or were intended to be laden unladen or Careend there, would be liable to pay by virtue of this Act, for the wharfage of such Sea Vessel.

AND WHEREAS it may be difficult as well as inconvenient for the Owners and Proprietors of the several wharfs aforesaid personally to attend collect and Receive the Rates and Wharf-

age that shall grow due by Virtue hereof, BE IT THEREFORE ENACTED by the Authority aforesaid that it shall and may be Lawfull to and for the Owners and Proprietors of the said wharfs on Hudsons River, within the limits aforesaid, for the time being or the Major part of them from time to time to Depute and appoint any one or more of their own Number or some other proper and fit Person or Persons to be the Wharfinger or wharfingers, Overseer or Overseers thereof for and during their Will and pleasure, and shall and may, at their like Will and pleasure displace and remove such Person or Persons so to be chosen and appointed, and another or others in his and their Room and stead, when and as often as to them shall seem meet to appoint: and such Person and Persons so to be appointed wharfinger or wharfingers shall while he and they continue respectively in that Office, have the power of ordering and regulating of the wharf or wharfs, for which he and they respectively shall be so appointed as aforesaid, and of the Birth of all such ships and other Vessels as shall load unload Carren or fasten at or to the same: and moreover shall have full power and authority either in his and their own Name respectively or in the name or names of the respective owners and Proprietors of such wharfs respectively to ask Demand sue for recover and receive, for the use of such respective Owners and Proprietors, the Rates and wharfage for all Vessels as the same shall become due.

AND WHEREAS the wharfs before mentioned are and may be often so incumbered with Lumber and other Goods and Merchandizes, that by means thereof the Loading and unloading of Vessels may be very much incomoded, and the passing and repassing of Carts and Carriages for that purpose be greatly impeded, retarded and hindred, BE IT THEREFORE ENACTED by the Authority aforesaid that if any or either of the said wharfs within the Limits aforesaid shall at any time or times hereafter, be so incumbered as to occasion any or either of those Inconveniences above mentioned the wharfinger or Owner or Owners of such wharf or wharfs, for the time being, shall either personally warn, or by Notice in writing to be left at the place of Residence of the owner or owners of such Lumber or other Goods his or their Factor or Factors, require him or them to remove the same from thence within a reasonable time and if the same shall not thereupon be removed accordingly the wharfinger



or Owner or Owners of the said wharfs respectively, and each of them is and are hereby Impowered to remove the same, and the same in his or their Custody to keep until the whole Charges attending the removal thereof be paid by the Owner or Claimer of such Lumber or other Goods: and in Case the owner thereof or his Factor cannot be found, Then the wharfinger or Owners of such wharf shall and may respectively at his and their Discretion remove the said Lumber and other Goods as is herein before Directed.

**PROVIDED ALWAYS AND BE IT ENACTED** by the same Authority that nothing herein contained shall impair the Right which the Mayor Aldermen and Commonalty of the City of New York have to the several Docks and Wharfs herein before mentioned within the Limits aforesaid, but such Right shall be and is hereby saved to them and their Successors as fully as if this act had not been passed.

This act to be and Continue in force from and after the Publication thereof until the first Day of January which will be in the year of our Lord One thousand Seven hundred and Seventy.

**[CHAPTER 1235.]**

**[Chapter 1235 of Van Schaack, where the title only is printed.]**

An Act to raise Levy and Collect the sum of Sixty one pounds Nineteen Shillings in the City and County of New York for services performed by the Coroner of the said City and County.

**[Passed, December 20, 1771.]**

**WHEREAS** Thomas Shrieve the present Coroner of the City and County of New York hath taken Twenty one Inquests during the space of Twenty Months on the Dead Bodies of poor Persons and advanced Monies for the said Services for which he hath received no allowance or Reward and it being Conceived Just and reasonable that he should be allowed and paid for his Trouble and Expence therein the sum of sixty one pounds Nineteen Shillings

**BE IT THEREFORE ENACTED** by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same that there be Raised Levied and Collected upon the Freeholders Inhabitants and Residents of the City and County of New York the sum of sixty One pounds Nineteen Shillings to be paid unto the said

Thomas Shrieve his Executors or administrators for the Services aforesaid and that said sum of Sixty one pounds Nineteen Shillings together with three pence in the pound for Collecting the same be raised levied and Collected in the same manner and by the same persons and together with the next Tax that shall be Raised levied and Collected for the maintainance of the Minister and Poor of the City and County of New York and shall together with the same Minister and Poor Tax be paid by the several Constables that shall Collect the same (they retaining in their Hands the said sum of three pence in the pound) into the Hands of the Church Wardens of the said City of New York for the time being.

AND BE IT FURTHER ENACTED by the authority aforesaid that the Church Wardens of the City of New York for the time being shall out of the Monies to be raised Collected and paid in their Hands by Virtue of this act pay unto said Thomas Shrieve his Executors Administrators or assigns on or before the first Day of May next Ensuing, the said sum of Sixty one pounds Nineteen Shillings and the Receipt of the said Thomas Shrieve his Executors administrators or assigns shall be a Sufficient acquittance or discharge for the same to the said Church Wardens

AND BE IT FURTHER ENACTED by the same authority that if the Justices of the Peace Vestrymen or Constables of the City of New York aforesaid who are hereby Required Impowered and authorized to take Effectual care that this Act be duly Executed according to the true Intent and meaning thereof or if any of them shall Deny Refuse or Delay to perform and Execute all or any of the Powers Duties and Authorities in this act required to be done and performed by them or any of them and shall thereof be Lawfully Convicted in any Court of Record in this Colony be or they denying Refusing or Delaying to perform the duties aforesaid shall suffer such pains and penalties by Fine or Imprisonment as by the discretion of the Said Court shall be adjudged to be sued for and recovered by the Person or Persons Aggrieved thereby.

[CHAPTER 1236.]

[Chapter 1236 of Van Schaack, where the act is printed in full.]

An Act for Naturalizing the several Persons therein mentioned.

(Passed, December 20, 1763.)

WHEREAS Christman Tobias, Joseph Hauser, Charles Gerome, John Querineau, Francis Pewart, Andries Zeegaard, Johannis

Weaver, Jacob Sherpenstone, Fredrick Hillecas, Henry Bird, John Raff, Nicholas Besley, Abraham Friehout, George Fack, Michael Stoller, Fredrick Raff, Johannis Rasper, John Dubois, Adolphus Benzel, Fredrick de Weissenfels, Henry Widerstein, Christian Schell, and Johannes Schell; have by their several Petitions presented to the General Assembly desired that they may be Naturalized, and become his Majesty's Leige Subjects and Settlers in this Colony.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor, the Council and the General Assembly, And it is hereby Enacted by the Authority of the same That the before named several Persons, and each and every of them, shall be and hereby are declared to be Naturalized, to all intents Constructions and purposes whatsoever, and from henceforth and at all times hereafter shall be Intitled to have and enjoy all the Rights and Liberties, Priviledges and advantages which his Majesty's Natural Born Subjects in this Colony have and Enjoy or ought to have and Enjoy, as fully to all Intents and purposes whatsoever, as if all and every of them had been born within this Colony.

PROVIDED ALWAYS AND IT IS HEREBY FURTHER ENACTED by the Authority aforesaid, That all and every and each of the above mentioned Persons shall take the Oaths appointed by Law, instead of the Oaths of Allegiance and Supremacy, Subscribe the Test, and make, Repeat, swear to, and Subscribe the Abjuration Oath in any of his Majesty's Courts of Record within this Colony, which Oaths the said Courts are hereby required upon application to them made to administer, take Subscriptions and cause the Names of the persons so swearing and Subscribing to be entered upon Record in the said Courts, And the said beforementioned Persons are each of them hereby required to pay the several sums hereafter mentioned, that is to say, To the Speaker of the General Assembly, the sum of Ten Shillings To the Judge of such Court the sum of Six Shillings, and to the Clerk of such Court the sum of Three shillings.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that if the said Persons or any of them having so sworn and subscribed as aforesaid shall demand a Certificate of his or their being entered upon Record in the manner herein before directed, the Court or Courts in which such Oaths and Subscriptions shall be made, are hereby directed and required to Grant such under

the Hand of the Judge and Seal of the said Court or Courts in which such Oaths and Subscriptions as aforesaid shall be made Countersigned by the Clerk of the said Court: For which Certificate each of them shall pay over and above the sums before mentioned, the sum of six shillings, one half to the Judge of such Court or Courts and the other Half to the Clerk thereof, which Certificate or Certificates, shall be at all times to the Person or Persons therein named, a Sufficient proof of his or their being Naturalized by Virtue of this Act, in as full and effectual a manner as if the Record aforesaid was actually produced by the Person or Persons so named in such Certificates.

PROVIDED ALSO AND BE IT ENACTED by the Authority aforesaid, That such of the Persons hereby Naturalized, as shall not take the Oaths, Test and Abjuration in manner herein before directed, within Twelve Months next after the Publication hereof shall have no manner or benefit by this Act, any thing herein contained to the Contrary Notwithstanding.

AND BE IT ENACTED by the same Authority that the Publick Printer of this Colony shall and hereby is directed and required to print this Act, as if the same were a Publick Act of this Colony.

#### TWENTY-NINTH ASSEMBLY.

##### *Seventh Session.*

(Begun Apr. 18, 1764, 4 George III. Cadwallader Colden, Lieut. Governor.)

#### [CHAPTER 1237.]

[Chapter 1237 of Van Schanck, where the title only is printed.]

An Act providing for One hundred and Eighty Men exclusive of Officers to be Employed against the Enemy Indians and other purposes therein mentioned.

[Passed, April 21, 1764.]

WHEREAS by Repeated barbarities committed by the Indians on the Westren Frontiers of this Colony it is become necessary to make provision for a further number of Troops as well to Scout on the said Frontiers as to act offensively in such manner as the Commander in Chief of all his majestys Forces in North America shall think proper.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor, the Council and the General Assembly and it is

hereby Enacted by the Authority of the same, that of the Monies now in the hands or which shall or may be in the hands of the Treasurer of this Colony by Virtue of an Act Intituled An Act to empower Sir William Baker Knight and Robert Charles Esquire of London to receive the sum that shall be allotted to this Colony by his Majesty out of the sum of One hundred and thirty three thousand three hundred and thirty three pounds six shillings and eight pence Granted by Parliament for the Northern Colonies towards defraying the expence of the Campaign of the Year One thousand Seven hundred and sixty one there shall be and hereby is appropriated for the purposes hereafter mentioned the sum of Eleven thousand pounds.

AND BE IT ENACTED by the authority aforesaid that the said Treasurer shall out of the Monies aforesaid pay unto John Cruger Beverly Robinson and Peter Van Brugh Livingston Esquires Commissaries and Paymasters to the Forces raised in this Colony the sum of two Thousand five hundred pounds to be by them applied in the payment of One hundred and fifty Men Officers included who are to be employed to wit fifty thereof to Scout on the Frontier of Albany at Schoharie and Cherry Valley, and the other hundred to Scout, on the Frontiers of Ulster and Orange Counties after the following rates Vizt, To three Captains Eight shillings per Diem each, to Six Lieutenants five shillings per Diem each, and to one hundred and forty one private men three shillings per diem each, the said Officers and men providing themselves with Provisions Arms and other necessaries deduction to be made for any deficiency in that Number by Death or otherwise PROVIDED AND BE IT ENACTED by the authority aforesaid that no person or persons whatsoever inhabiting at Schoharie and Cherry Valley aforesaid, and no person or persons of the Precinct of Memaucuttung and Township of Rochester in Ulster County and no person or persons living on the West side of the Wallkill in Orange County shall be admitted to enlist in the Service for Scouting on the Western Frontiers.

AND BE IT ENACTED BY THE AUTHORITY aforesaid that the Treasurer of this Colony shall out of the Monies aforesaid pay unto the said Paymasters, John Cruger Beverly Robinson and Peter Van Brugh Livingston the sum of Seven thousand and sixty pounds to be by them applied in the payment of One hundred and Eighty Men, exclusive of Officers, to be employed against the Enemy Indians in such manner as his Majestys Com-



mander in Chief in North America shall Judge most conducive to that purpose after the following Rate Vizt To three Captains Ten shillings per diem each, To six Lieutenants Seven shillings per diem Each, to Six Sergeants One shilling and Eight pence per diem each, To Twelve Corporals One shilling and six pence per diem each, and to One hundred and Sixty two private Men One shilling and three pence per diem each deduction to be made for any deficiency in that Number by Death or otherwise

AND BE IT ENACTED BY THE AUTHORITY aforesaid that the said Treasurer shall out of the Monies aforesaid Pay unto each of the said Captains or other Officer properly authorized to raise the last mentioned One hundred and eighty Men the sum of Twenty shillings for each able Bodied Man whom he or they respectively shall engage to enlist voluntarily into the last aforesaid Service and to each of the said Captains as and for an encouragement for the Men who shall enlist under him or them respectively the sum of Seven pounds to be paid by him or them respectively to each and every able Bodied Man who Shall Voluntarily enlist under him or them respectively on the service last aforesaid, which said respective sums shall be paid by the Treasurer on Warrants Issued by his Honour the Lieutenant Governor Or by the Commander in Chief for the time being by and with the advice and Consent of his Majestys Council

AND BE IT ENACTED by the authority aforesaid that the said Commissioners shall provide for each able Bodied Man that shall Voluntarily enlist in the last mentioned service One Coat, One Jacket, One Hatt, Two Shirts, and one pair of Leather Britches two pair of Stockings, two pair of Shoes, and one Blankett, of the due disposition of all which aforesaid sums of Money they the said Commissioners shall render a just and true account upon Oath to his Honour the Lieutenant Governor or Commander in Chief for the time being the Council or the General Assembly, when by them or any of them thereunto required.

AND BE IT ENACTED by the Authority aforesaid that the Forces to be raised as aforesaid the Commissaries are hereby directed to pay according to the Number that shall be in actual Service and not otherwise, which shall be ascertained by the Muster Rolls of the respective Companies monthly delivered unto the said pay Masters upon the Oath of the several Captains of each Company or the oath of the Commanding Officer thereof at the time of such Muster which oath said paymasters or either

of them or such other person as his Honour the Lieutenant Governor or Commander in Chief shall appoint are hereby Impowered and required to administer in the Words following Vizt " I A. B. " do swear that the Muster Roll here produced by me is just and " true and Contains no more nor other persons Names than such " who are really and truly enlisted in my Company and Actually " now in the service for which they were enlisted except those " Names marked in the Muster Roll Dead deserted or discharged, " so help me God."

AND TO THE END the aforesaid Commissaries may be encouraged to do and perform the several and respective Services required to be done and performed by them respectively, BE IT ENACTED BY THE AUTHORITY AFORESAID that the said Commissaries shall be allowed to retain in their own hands the sum of two Pounds on every hundred pounds they shall employ by Virtue of this Act as a Reward for their Care and Trouble in the several and Respective Services required hereby to be done and performed by them.

AND BE IT ENACTED BY THE AUTHORITY AFORESAID that the Commissaries before they receive any part of the Monies hereby directed to be paid unto them shall enter into Recognizances unto our Sovereign Lord the King his Heirs and Successors before one of the Judges of the Supreme Court of this Colony in the sum of Nineteen thousand One hundred and Twenty pounds with two sufficient sureties each in half that sum Conditioned that they shall well and truly employ and apply the Monies to be received by them as aforesaid to and for the several and respective uses and purposes directed by this Act and well and truly to Observe do and perform all the directions hereby required to be done and performed by them according to the Intent and meaning of this Act, which Recognizances are to be filed and Recorded in the Supreme Court of this Colony.

AND BE IT ENACTED BY THE AUTHORITY AFORESAID that if either of the before named Commissaries shall fail of employing and applying the Monies so to be received by them in the manner and for the respective uses directed by this act or omit to observe do and perform what is hereby required to be Observed done and performed by them in such Case or Cases the Recognizances shall be proceeded upon in due form of Law against such Offender or Offenders or his or their Sureties in the Supreme Court of this Colony wherein no Essoin, Protection

Wager of Law or more than one Imparlanee shall be allowed and the money to be recovered in Consequence thereof shall be paid into the Treasury of this Colony and applied to and for such uses as shall hereafter be directed by act or acts to be passed for that purpose.

AND BE IT ENACTED BY THE AUTHORITY AFORESAID that if either of the said Commissaries shall happen to die remove, out of this Colony or refuse to act according to the several and respective powers and Authorities hereby required and directed it shall and may be lawfull to and for the Lieutenant Governor or Commander in Chief for the time being by and with the advice and Consent of his Majesty's Council to nominate and appoint some other fit person or persons in the place or stead of him or them so dying removing or refusing to act as aforesaid, any thing herein Contained to the Contrary notwithstanding. Provided the Person or Persons who shall be so appointed shall be obliged to enter into the like Recognizance with the like sureties as herein is directed to be done by the said Commissaries before he or they be entitled to receive any part of the Money herein mentioned and in all respects be as subject to observe do and perform the several directions of this Act as if he or they had been named and appointed in it.

AND BE IT ENACTED BY THE AUTHORITY AFORESAID that the before mentioned several sums of Money directed to be paid to the aforesaid Commissaries shall be paid by the Treasurer of this Colony at such time and in such proportion as shall be thought necessary and expedient by the Lieutenant Governor or Commander in Chief for the time being by and with the advice and Consent of his Majesty's Council for performing the several and respective services directed by this Act.

AND that none of his Majesty's Subjects who are inclined to go upon the last mentioned service may be impeded or debarred from entering Voluntarily therein BE IT ENACTED BY THE AUTHORITY AFORESAID that no person who shall enlist or enter himself a Volunteer in the said last mentioned Service shall during the same be liable to be taken therefrom by any process or Execution whatsoever other than some Criminal matter, unless for a debt or other just Cause of action and unless before taking out such process or Execution, not being for a Criminal matter, the Plaintiff or Plaintiffs therein or some other Person or Persons in his or their behalf shall make Affidavit

before one or more Judge or Judges of the Court of Record or Other Court out of which such Process or Execution shall Issue or before some person authorized to take Affidavits in such Courts that to his or their knowledge the Original Sum Justly due And owing to the Plaintiff or Plaintiffs from the Defendant or Defendants in the action or cause of action on which such Process shall Issue or the Original Debt for which such Execution shall be Issued out amounts to the value of Ten pounds Current Money of the Collony of New York over and above all Costs of suit in the same Action or in any other Action on which the same has been or shall be grounded, a memorandum of which Oath shall be endorsed on the back of such Process or Writ, for which Memorandum or Oath no fee shall be taken, and if any Person shall nevertheless be arrested Contrary to the Intent of this Act it shall and may be lawful for any one or more Judge or Judges of such Court, upon Complaint made thereof by the party himself or any of his superior Officers to Examine into the same by the Oath of the Parties or otherwise and by Warrant under his or their Hands and Seals to discharge such Soldier so arrested or detained Contrary to the Intent of this Act without paying any fee or Fees upon due proof made before him or them that such Soldier so arrested or detained was duly Indlisted for the service aforesaid and was arrested and detained Contrary to the intent of this act.

AND BE IT ENACTED BY THE AUTHORITY AFORE SAID That every Person or Persons whatsoever engaged in the Service aforesaid Vizt in Scouting on the Western Frontiers of the Counties of Ulster and Orange and in Scouting on the Frontier of Albany and Schoharie and Cherry Valley shall be Continued therein from the first Day of May next until the first day of August then next following and no longer

AND BE IT ENACTED BY THE AUTHORITY AFORE SAID that every Person or Persons whatsoever engaged in the service aforesaid Vizt to be Employed against the Enemy Indians in such manner as his Majesty's Commander in Chief in North America shall judge most Conducive for that purpose shall be continued therein until the first day of November next and no longer.

AND BE IT ENACTED BY THE AUTHORITY AFORE SAID that in Case any Person or Persons whatsoever engaged in the Services aforesaid either as officers or Soldiers shall at any time during the said Service Desert therefrom or shall begin

excite Cause or Join in any mutiny or Sedition in the Company to which he shall belong or any other Company engaged in the said Services or shall hold Correspondence with any Rebel or Enemy of his Majesty or give advice or intelligence by Letters, Messages, Signs, or Tokens, or any manner of way whatsoever or shall strike or use any Violence against his Superior Officer being in the Execution of his Office, or shall refuse to obey any Lawfull Command of his Superior Officer they shall respectively suffer death or such other Punishment as shall be Inflicted by a Court Martial, which Court Martial shall be held Constituted and appointed by Commission from the Lieutenant Governor or Commander in Chief for the time being under the Great Seal of this Colony.

AND BE IT ENACTED BY THE AUTHORITY AFORESAID that when the Treasurer shall have paid all the several sums of Money directed to be paid by this Act all the residue of the aforesaid Money shall remain in the Treasury to be disposed of by act or acts hereafter to be passed for that purpose.

AND BE IT ENACTED BY THE AUTHORITY AFORESAID that the Treasurer shall keep exact Books of all his Receipts and payments by Virtue of this Act And a true and just account thereof shall render upon Oath to the Lieutenant Governor or Commander in Chief for the time being, the Council or to the General Assembly when by them or either of them thereunto required

#### [CHAPTER 1238.]

[Chapter 1238 of Van Schaack, where the title only is printed.]

An Act to empower Sir William Baker Knight and Robert Charles Esqr of the City of London to receive Such Sum as shall be allotted to this Colony by His Majesty out of the Sum of One hundred and Thirty three thousand three hundred and Thirty three Pounds Six Shillings and Eight pence Sterling, granted by Parliament towards defraying the expence of the Northern Colonies in the Campaign of the Year One thousand Seven hundred and Sixty two.

[Passed, April 21, 1764.]

WHEREAS the Parliament of Great Britain did Grant the Sum of One hundred and Thirty three thousand Three hundred and Thirty three pounds Six Shillings and Eight pence for the



Northern Colonies in consideration of the great expence they have been put to in Levying Paying and Cloathing a large Body of Troops in the Year One thousand Seven hundred and Sixty two to Assist His Majesty's General and Commander in Chief in Securing the Conquest of Canada. And no Person being authorized to receive the Proportion which his Majesty Shall be graciously pleased to Allot to this Colony

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly And it is hereby Enacted by the Authority of the Same That Sir William Baker Knight And Robert Charles Esquire Shall be and hereby are Authorized and Impowered to Receive all Such Sum and Sums of Money as are or Shall be Allotted by his Majesty for this Colony out of the Sum of One hundred and thirty three thousand three hundred and Thirty three Pounds Six Shillings and Eight pence Which Said part or Portion of Money the Said Sir William Baker Knight and Robert Charles Esqr Are hereby directed to Pay to the order of the Treasurer of this Colony Who is hereby Authorized and Required upon Advice of the said moneys being paid into the hands of the Said Sir William Baker Knight and Robert Charles Esquire to Draw Bills of Exchange for the Same And to Sell the Said Bills to the best Advantage And to keep true and Exact Accounts of the money that Shall come into his hands by the Sale thereof

AND BE IT FURTHER ENACTED by the Authority Aforesaid that all the money that Shall be received by the Treasurer by Virtue of this Act Shall remain in the Treasury untill it shall be disposed of by Act or Acts hereafter to be passed for that purpose.

## TWENTY-NINTH ASSEMBLY.

*Eighth Session.*

(Begun Sept. 4, 1764, 4 George III. Cadwallader Colden, Lieut. Governor.)

## [CHAPTER 1239.]

[Chapter 1239 of Van Schaack, where the title only is printed. See chapter 1209.]

An Act further to continue An Act Entitled An Act for Granting to His Majesty the several Duties and Impositions on Goods Wares and Merchandizes imported into this Colony therein mentioned.

[Passed, October 20, 1764.]

WHEREAS the Several Duties and Impositions on Goods Wares and Merchandizes imported into this Colony, and Granted for the support of the Government of his late Majesty King George the Second, by the above mentioned Act, have by several subsequent Acts been continued to the first day of January next; and the General Assembly being willing to make Provision for the further support of His Majesty's Government of this Colony.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council, and the General Assembly and it is hereby ENACTED by the Authority of the same, That the above-mentioned Act, entitled An Act for Granting to His Majesty the several Duties and Impositions on Goods Wares and Merchandizes imported into this Colony therein mentioned; passed in the twenty Seventh Year of His Late Majesty's Reign, shall be and hereby is continued, and every Clause, Matter and thing therein contained, Enacted to be and remain in full Force to all Intents Constructions and purposes whatsoever from the said first day of January next, until the first day of January which will be in the Year of Our Lord One thousand Seven Hundred and Sixty Six inclusive.

## [CHAPTER 1240]

[Chapter 1240 of Van Schaack, where the title only is printed. See chapter 1095. Expired January 1, 1770.]

An Act further to Continue an Act Entitled An Act to lay a Duty of Tonnage on the Vessels, and for the time therein mentioned together with one Other Act therein Mentioned.

[Passed, October 20, 1764.]

WHEREAS an Act entitled, An Act to lay a Duty of Tonnage on the Vessels, and for the time therein mentioned passed in the Eighth Year of His Late Majesty's Reign as likewise another Act entitled An Act further to continue An Act entitled An Act to lay a Duty of Tonnage on the Vessels and for the time therein mentioned, with an Explanation and Addition thereto; passed in the Twenty fourth Year of his said late Majesty's Reign, will both Expire on the first day of January next, and the General Assembly being willing for the reasons in the said two Acts contained, to continue the same for a longer time.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor, the Council and the General Assembly and it is hereby Enacted by the Authority of the same, that the two Acts aforesaid shall be, and hereby are continued and every Clause Article, Matter and thing, in the said two Acts contained, enacted to be and Remain in full Force and Virtue, to all Intents, constructions and Purposes whatsoever, from the said first day of January next untill the first day of January which will be in the Year of our Lord One Thousand Seven Hundred and Seventy.

ALWAYS PROVIDED, and it is hereby Enacted by the Authority aforesaid, that all Coasting Vessels coming from as far Westward and Southward as the Colony of North Carolina including the same shall be Exempted from all Duty of Tonnage laid by the aforesaid Act or Acts any thing in this or the aforesaid Acts to the Contrary Notwithstanding.

## [CHAPTER 1241.]

[Chapter 1241 of Van Schaack, where the title only is printed. Continued by chapter 1275.]

An Act for Regulating the Militia of the  
Colony of NEW YORK.

[Passed, October 20, 1764]

WHEREAS a due and Proper Regulation of the Militia of this Colony tends not only to the Security and Defence thereof, but likewise to the Honour and Service of His Majesty.

BE IT THEREFORE ENACTED by His Honour the Lieutenant Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same that every Person from Sixteen to Sixty Years of Age, residing within this Colony shall within one Month after he Arrives at the Age of Sixteen, and every sojourner above the same age having resided within this Colony above three Months, shall enlist himself with the Captain, or in his absence with the next Commanding Officer either of the Troop of Horse, in the City or County where he dwells or resides, or in such Company of Foot who's Captain or next Commanding Officer has the command thereof, in the City, Town, Borough, Manor or Precinct where such Person shall reside or Sojourn under the Penalty of Ten Shillings, and Six Shillings for every Month that such Person shall remain so enlisted after notice given, and all Captains of Troops of Horse and Companies of Foot in the several Cities, Burroughs, Townships, Manors and Precincts of this Colony are hereby commanded to take due care to enlist all Inhabitants and Sojourners from Sixteen to Sixty Years of Age which Age in case of doubt is to be proved by the Oath of the Person whose Age is in Question, or the Oath of his Parent or some other Credible Witness to be taken by the Officer before whom the dispute shall happen to be who shall Administer the same in the words following.

"I A. B do Swear upon the Holy Evangelists of Almighty God that, C. D. Summoned before Captain E. F. in Order to be enlisted is      Years Old and no more according to the best of my knowledge so help me God." which Oath being duly Administred by the Captain or Other Officer who hath summoned such person before him in Order to be enlisted, and it appearing that he is under Sixteen, he shall be for that time dismissed and if any dispute shall Arise about Elder Persons, and it appearing

that he or they are above the Age of Sixty, such Person or Persons shall be exempted at all times thereafter.

AND BE IT ENACTED by the Authority aforesaid that all Captains of Troops of Horse and Companies of Foot, shall within three months from the Commencement of this Act provide for their Companies and Troops, Drums and Trumpets, Colours and Banners, and Drummers and Trumpeters at the proper Charge of their respective Captains of Troops and Companies under the Penalty of Six Pounds, and for every month such Captain shall Remain unprovided thereof the Sum of Three Pounds.

BE IT ENACTED by the same Authority that the Colonels or Commanding Officers of all Regiments or Battalions, Troops or unregimented Companies within this Colony shall at least once in every year Issue out their Warrants to their Inferior Officers, Commanding him or them to make diligent Search and Enquiry in their Several Precincts, that all Persons be duly Listed, Armed and Equipped and to return to them the names of such Defaulters, as he or they shall find, to the end they may be punished according to this Act, and if any Colonel of a Regiment or Battalion or in his absence the next commanding Officer, or any Captain or Commanding Officer of a Troop of Horse or unregimented Company shall neglect his Duty herein; he or they so neglecting shall forfeit the sum of Five Pounds for such neglect or Omission.

AND BE IT FURTHER ENACTED by the authority aforesaid that once in every year Command be given by the Colonel, and in his absence by the next Commanding Officer of the Respective Regiments or Battalions that the several Companies in each Regiment, Battalion and the Troops of Horse and unregimented Companies of the several Counties shall meet at the most convenient places therein to be appointed by the respective Officers, to be then and there Mustered and Exercised, and that every Soldier belonging to the Horse, shall at the time and place commanded appear and be provided with a Good Serviceable Horse not less than fourteen Hands high, covered with a Good saddle, Houlsters Housing, Breastplate, and Crupper, a Case of Good Pistols, a Good Sword, or Hanger, half a pound of Gun Powder and twelve Serviceable Bullets, a Pair of Boots with suitable Spurs, and a Carbine well fixed with a good Belt Swivel and Bucket under the Penalty of Ten Shillings for Want of a Serviceable Horse, and the Penalty of Five Shillings for want of each



or either of the Articles of the Troopers furniture, and the Troopers in the City and County of New York shall be Cloathed with a Blue Coat and Breeches with Yellow Metal Buttons and a Scarlet Waistcoat, and their Hatts Laced with Gold Lace, and the Troopers for the City and County of Albany shall be Cloathed with Blue Coats, and the Hatts shall be Laced with Silver Lace under the Penalty of five Shillings for the want of each Article of such Cloathing: the whole Penalty on a Trooper for the Defaults of one day not to exceed the Sum of Forty Shillings.

AND BE IT PROVIDED AND ENACTED by the Authority aforesaid, That in case of a General Alarm or Invasion all unregimented or Independant Companies and Troops shall in the absence of the Captain General or Commander in Chief, be under the immediate Command and direction of the Colonel and in his absence the next Commanding Officer of the Regiment or Battalion of the City or County where such unregimented or Independant Companies or Troops are or may be, any thing herein to the contrary hereof notwithstanding.

BE IT FURTHER ENACTED by the Authority aforesaid That the Number of the Troop in the City and County of Albany shall be Sixty besides Officers, and the number of all Other Troops in this Colony shall be Fifty Troopers besides Officers, and for a Constant supply of Troopers in each City and County within this Colony where Troops of Horse have been or are in being, whensoever it shall happen by Death or Otherwise, that there be fewer Troopers in Number than are limited by this Act, and the same cannot be supplied by Volunteers, that then the Captain of such Troop shall under his hand certifie unto the Colonel of the Regiment of Foot, or Battalion or in his absence to the next commanding Officer in the City or County where such want shall happen how many Troopers are wanting in his List of the Troop under his Command and thereupon the Said Colonel or next commanding Officer of such Regiment or Battalion shall nominate out of the same, the Number that shall be so wanting as aforesaid PROVIDED that such Person or Persons so nominated by the said Colonel or next Commanding Officer be not under the age of Twenty one years nor above Ten Miles Distant from the place of the Captains place of abode upon which nomination, the Person or Persons so nominated shall within the Space of Three Months, equip themselves as is hereby directed: and every Trooper that shall be so nominated to Serve in any

of the Troops and refusing to equip himself and serve, he shall for such Offence forfeit the Sum of Ten Pounds and upon Payment thereof shall not be liable to any Other or further forfeiture for any Offence respecting the Troop but shall nevertheless be subject to Serve in the Foot Service, as if no such nomination had ever been made, AND all Troopers already Inlisted, or who shall consent to be inlisted in manner as aforesaid, refusing or neglecting to appear shall for every such Offence forfeit the Sum of Ten Shillings for the first Default in not appearing, for the second Default the Sum of fifteen Shillings, and for the third Default Twenty Shillings, and for every Default after the third Twenty Shillings until he doth appear; and every Trooper or Soldier belonging to the Horse shall always have at his Habitation or place of abode One Pound of Gun Powder, and three Pound of Sizeable Bullets on Penalty of Ten Shillings for every Default.

AND BE IT ENACTED by the Authority aforesaid that the Companies of Cadets, and Blue Artillery in the City of New York are to Consist each of One Hundred Men besides Officers; and if the Colonel of the Regiment of the said City, or in his Absence, the next Commanding Officer thereof, doth suspect that the Captain or Captains of the said Companies have Inlisted a Greater Number than is limited above; the Captain of the Company so suspected shall be Obliged within fourteen days after notice to deliver to the Captain General or Commander in Chief a true and Compleat Roll of the Name and Names of all the Persons, he or they have on his or their List and if it thereby appears that more are Inlisted than the Number above mentioned all such Supernumery Men are immediately to be discharged out of such List and the Captain is to give a List of their names to the Colonel or next Commanding Officer aforesaid and the person and Persons so discharged shall within fourteen days thereafter Inlist him or themselves in one of the Foot Companies of the said Regiment and such of the persons so discharged as shall Omitt to Inlist himself accordingly shall be Subject to the fines inflicted in this Act on Persons Omittting or Neglecting to inlist in the Militia.

AND BE IT ENACTED by the Authority aforesaid that every Foot Soldier in any the Regiments or Battallions, or Independant Companies of Foot in this Colony shall be Provided with a Good well Fixed Musket or Fuzee, a Good Sword, Belt, and Cartridge

Box, Six Cartridges of Gun Powder and Six Sizeable Bullets and so Provided shall appear when and where Required upon penalty of five Shillings for each Musket or Fuzee not well fixed and for want of a Sufficient Sword, Belt, or Cartridge Box, shall forfeit one Shilling, and the same for want of each Cartridge or Bullet, the whole Penalty for the Default of one person for one day not to exceed Ten Shillings, and the Sufficiency of the Musket or Fuzee, Sword Belt, and Cartridge Box to be judged of and determined by the Captain or in his absence the next Commanding Officer of such Company; and every Foot Soldier shall at his Habitation or place of abode have one Pound of good Gun Powder, and three Pounds of sizeable Bullets upon Penalty of Ten shillings for each Soldier of Foot, and if any Soldier of Foot or Horse shall Refuse to shew to his Captain or Person sent by him, or Other Officer for that purpose by this Act appointed all or any of the Equipage, Furniture, or Ammunition here mentioned he shall be deemed and esteemed to be unprovided thereof and shall be fined Accordingly.

AND BE IT ENACTED by the Authority aforesaid that upon Notice Given of a General Muster, or of the Review or appearance in the Field of any Particular Troop or Troops Company or Companies no Person whatsoever listed in Horse or Foot in Manner aforesaid shall withdraw himself from that Service or go out of Town without having first acquainted his Captain and in his absence the next Commanding Officer therewith and without his leave or Authority so to do, under the Penalty of Ten Shillings, and no Commission Officer shall remove himself out of Town or withdraw from the Service without leave from his Superior Officer, under the Penalty of Twenty Shillings, and no Sargeant Corporal or Drummer whether of Horse or Foot shall absent themselves in Manner aforesaid under Penalty of Twenty Shillings.

AND BE IT FURTHER ENACTED by the same Authority that no Person or Persons being thereunto required by their Superior and proper Officer shall refuse to be Sargeant Corporal or Drummer in any Troop or Company under the Penalty of Forty Shillings, and in case any Serjeant or Corporal so appointed shall refuse to warn the People to appear under Arms when thereunto Required by his Captain or next commanding Officer, he shall for every such neglect or Refusal forfeit the Sum of Twenty Shillings.

AND BE IT FURTHER ENACTED by the same Authority that such Articles of Warr, as the Captain General or Commander in Chief for the time being with a General Council of Officers from the several Regiments or Battalions of this Colony shall make and Establish shall by Authority of this Act have full force Virtue and Effect for the Punishment of all Offenders against this Act, and the said Articles, or any thing therein Contained and all Officers and Soldiers of the Militia Horse or Foot within this Colony during such time as they or any of them are under Arms in the Field or upon Watch and Ward or Other Duty they and every of them shall Observe and keep all and every the Articles of Warr so as aforesaid Established and shall pay due Obedience to his and their Superior Officer and Officers, and all his or their Lawfull Commands and all the Colonels of the several Regiments or Battalions, Captains of Troops of Horse, and Unregimented Companies of Foot or Other the next Officer in their Absence are to give out true Copies of said Articles by them Attested or by one Field Officer at the least unto the Respective Officers under them that the same may be Publickly Read once in every Year, at the Head of every Regiment unto the Soldiers while they are in Arms, to the end all Persons Inlisted may the better know and Observe their Several Duties. And if it shall happen that any Officer or Soldier shall at any time ~~will~~ soever whether under Arms, Upon Duty or Otherwise Maliciously abuse Affront, or take Revenge or endeavour by Force to take Revenge for any Matter or thing by His or their superior Officer Lawfully done in pursuance of his or their Duty, or of any thing Contained in this Act, the said Officer or Soldier shall be brought before a Court Martial, and shall be tried for the same according to the true intent and meaning of the Articles of Warr Provided Always that such Punishment shall not extend to the Loss of Life or Limb.

BE IT PROVIDED AND ENACTED by the Authority aforesaid that until such time as the aforementioned Laws and Articles of Warr are established by the said General Court Martial, every Soldier under Arms that shall not give due Obedience to his Superior Officer, shall forfeit the Sum of Ten Shillings for each Offence, and if any person Inlisted to Serve either in Horse or Foot, and appearing under arms and during such appearance shall Refuse or neglect to perform such Military Duty as shall be required from him or shall depart from his

Colours or Guard without leave from such Officer, he shall forfeit the Sum of Twenty Shillings and for Nonpayment thereof shall be committed by Warrant from the Captain or Commanding Officer there present of the Company or Troop to which such Offender doth belong to the next Goal, till the said Twenty Shillings be paid with the Prison Charges, and the Sherriſſ of each City and County is hereby impowered and Required to Receive the Body or Bodies of all such Offender or Offenders against this Act as shall be brought to him by Vertue of a Warrant or Warrants under the hand and Seal of such Officers as aforesaid, and him or them to keep in safe Custody untill such Fees and Fines mentioned in such Warrant are paid. And it is hereby declared, that such Sheriffs or keepers of Goals shall in such Cases as aforesaid be intitled to the same Fees as are allowed in all Other Cases. PROVIDED LIKEWISE that in case of a Military Watch or Night Guard where a Captain doth not Command in Person the Warrant of distress or Warrant of Imprisonment Granted by an inferior Officer who did Command the Guard or Watch, shall be of the same Authority against all Offenders as if the same Warrants were issued by the Captain any thing in this Act to the Contrary thereof in any wise Notwithstanding.

AND BE IT ENACTED by the Authority aforesaid that once every year or oftener, if thereunto required, each particular Captain shall give to his Colonel or in his absence to the next field Officer and such field Officer and the Captains of Unregimented Troops and Companies to the Captain General or Commander in Chief for the time being fair Written Rolls of their respective Regiments Troops and Companies on the Penalty of Forty Shillings for a Field Officer and Twenty shillings for an Inferior Commanding Officer, And if any person be wounded or disabled upon any Invasion or in any Other Military Service he shall be taken care of and Provided for by the Publick during the time of such disability.

BE IT ENACTED by the Authority aforesaid that the several Fines Penalties and forfeitures in this Act mentioned shall be levied recovered and disposed of as followeth (That is to say) That all such forfeitures as do relate to any person under the degree of a Captain shall be adjudged by, and be taken to the Respective Captains to defray the Charges of their Troops and Companies, and to be levied before the next exercising day by



distress and Sale of the Offenders Goods by the Captain's Warrant directed to the Sergeant or Corporal of the Company where in said Offence was Committed, but if the Offender be a Servant or under his Parents care then and in such case the Master's or Parents Goods shall be liable to such distress and Sale as aforesaid till satisfaction be made, and if any Sergeant or Corporal shall Refuse to Execute such Warrant so to him directed such Sergeant or Corporal shall for every such Offence forfeit for the uses abovementioned the Sum of Forty Shillings to be levied in Manner before Expressed by such Other Officer Sergeant or Corporal as such Warrant shall be directed to, and for all Other Penalties and forfeitures in this Act mentioned the same shall be Levied by distress and Sale of Offenders Goods by Warrant from the Colonel or the next field Officer where such Offenders are. One half to such Colonel or field Officer, and the Other half for the use and Benefit of the Regiment or Battalion in the City and County where the Offence is Committed and if the Fines that relate to Persons under the degree of a Captain shall not amount to a Sum sufficient to defray the Charges of Captains of Troops and Companies that then what is Wanting shall and may be levied upon the several Soldiers equally by Warrant of the Colonel or Chief Officer of the Regiment or Battalion, Troops or Companies, and if no Goods are to be found whereon to distrain, the person Offending is to be sent to the next Goal there to Remain till Satisfaction be given and the Prison fees paid, and the Sergeants, Corporals or Clerk of the Regiment or Battalion are to reserve to themselves out of each distress or forfeiture the sum of Three Shillings for Executing each Warrant from their Captain or Other superior Officer.

AND BE IT FURTHER ENACTED by the Authority aforesaid that no Person whatsoever do Presume to fire any Small Arms after Eight of the Clock at night unless in case of Alarm or Insurrection, in which case four Muskets or Small Arms distinctly fired or where Great Guns are the firing of one Great Gun and two Musketts or Small Arms distinctly and beating of a Drum shall be taken for an Alarm, which shall be continued along from place to place, throughout the Colony; and every Person that shall Neglect his duty in taking and forwarding the Alarm by firing or Beating Drum as aforesaid, or that shall fire Arms after Eight O'Clock at night shall be fined or Punished at the Discretion of a Court Martial not extending to Life or Limb,

and in case of an Alarm every Soldier is immediately to repair Armed to his Colours or Parade on Penalty of Five Pounds; which Parade shall be understood to be the Habitation of his respective Captain, unless it shall be Otherwise Ordered and appointed; and for the better prevention of false Alarms, no Captain Master or Commander of any Ship or Vessel, riding at Anchor in any of the Rivers Harbours or Bays of this Colony, nor any Other person shall fire any Gun or Beat any Drum after Eight O'Clock at Night under the Penalty of Twenty Shillings for every Gun so fired or Drum Beaten to be levied by Warrant as afore directed from the Chief Officer of the Regiment or Battalion next adjoining not under the Degree of a Captain, who is hereby impowered to have Jurisdiction thereof, and to Administer an Oath, and give Judgment thereupon, and to direct distress and Sale of the Offenders Goods, and for want of such distress the said Chief Officer is impowered to Commit such Offender to Goal, there to remain until payment be made of the same; and the Captain, Commander or Master of any Vessel from whence such Gun or Guns shall be fired, shall be deemed and understood to be the Offender in this respect, and in case the Chief Officer of the Regiment or Battalion or Captain aforesaid shall not perform his Duty herein, he shall forfeit Three Pounds to be Levied by Warrant from the Captain General or Commander in Chief for the time being.

AND BE IT FURTHER ENACTED that all Drummers and Trumpeters lately in Service or that shall be put in Service by the several Captains during pleasure shall serve upon the Salary of Forty Shillings per Annum for a Trumpeter and Twenty Shillings per Annum for a Drummer finding their Trumpet or Drum, and Twenty shillings for a Trumpeter and Ten shillings for a Drummer if the Captain do provide the Drum or Trumpet; and each Drummer or Trumpeter refusing to serve to forfeit Forty shillings to be levied in Manner aforesaid, ALWAYS PROVIDED that all the Members of His Majesty's Council, and Members of the General Assembly, Justices of the Peace, High Sheriffs, Coroners and Other Civil Officers of His Majesty's Government in this Colony, and all Other Officers of Courts, Ministers of the Gospel, School Masters, Physicians Surgeons and one miller to a Grist Mill shall be free from being listed in any Troop or Company within this Colony and neither this Act nor any thing therein contained shall be construed or taken to allow any

Indian or Negro Slave to be listed or do any duty belonging to the Militia in this Colony unless it be to be Drummers, Trumpeters or Pioneers.

AND BE IT ENACTED by the Authority aforesaid that no Commission Officer of the Militia of this Colony legally Superceeded shall afterwards be Obligated to the duty of a Private Soldier unless he be Casheered for Cowardise by a Court Martial or for some Other Notorious Offence, nor shall it be in the power of any Commission Officer to throw up or Quit his Commission unless he is superceeded in his Rank, until he have served in Commission fifteen Years at the least, any thing in this Act to the Contrary thereof Notwithstanding.

BE IT ENACTED by the Authority aforesaid that no Military Commission Officer, as well of Foot Companies or Troops of Horse whether Regimented or Independent, as likewise the Troopers in the City and County of New York shall be liable or subject to serve as Constable tho' Chosen any Law or usage to the Contrary notwithstanding. PROVIDED NEVERTHELESS that a Commission Obtained by any Person after he is Elected a Constable shall not entitle him to the Exemption beforementioned.

BE IT FURTHER ENACTED by the Authority aforesaid that if any person or Persons shall be Sued, Molested, or impleaded for any Matter or thing Lawfully done and Commanded in the Execution and performance of this Act, he or they shall plead the General Issue, and give this Act in Evidence and if the Plaintiff discontinue his Action, be nonsuited or Verdict pass against him the Defendant shall recover treble Costs, nor shall any such Suit or Suits be admitted or allowed to be brought unless it be done within three Months next after the Offence is committed.

AND BE IT ENACTED that nothing in this Act contained shall be intended or Construed to derogate from or in any wise lessen or diminish the powers or Authorities lodged and Vested in the Captain General or Commander in Chief for the time being by His Majesty's Letters Patent, Commission or other power whatsoever, any thing in this Act contained to the contrary thereof in any wise notwithstanding.

AND BE IT ENACTED by the Authority aforesaid that this Act and every Clause Article and thing therein contained shall commence from the first day of January next and remain of full

force and Virtue until the first day of January which will be in the year of Our Lord One thousand Seven Hundred and Sixty Six.

[CHAPTER 1242.]

[Chapter 1242 of Van Schaack, where the title only is printed. See chapter 1196. Continued and amended by chapter 1408.]

An Act to Continue An Act Entitled An Act for the punishment of Persons in the City of New York, who shall by false pretences Obtain any goods, wares, or Merchandizes from any person with intent to Cheat or Defraud such person.

[Passed, October 20, 1764.]

BE IT ENACTED by his Honour the Lieutenant Governour, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same, That the Act Entitled An Act, for the Punishment of persons in the City of New York who shall by false pretences Obtain any Goods, Wares or Merchandizes from any person with intent to Cheat or Defraud such person passed in the third Year of His Majesty's Reign shall be and is hereby continued in full force and Vertue to all intents and purposes, from the first day of January next until the first day of January which will be in the year of Our Lord One Thousand Seven Hundred and Seventy

[CHAPTER 1243.]

[Chapter 1243 of Van Schaack, where the act is printed in full. See chapter 1051.]

An Act further to continue An Act Entitled "an Act to prevent the Exportation of "Unmerchanta<sup>b</sup>le Flour and the false Taring "of Bread and flour Cask" together with the Act therein mentioned.

[Passed, October 20, 1764.]

WHEREAS an Act Entitled "An Act to prevent the Exportation of unmerchanta<sup>b</sup>le Flour, and the false Taring of Bread and Flour cask," and An Act, Entitled "An Act further to continue An Act Entitled an act to prevent the Exportation of "unmerchanta<sup>b</sup>le Flour, and the false Taring of Bread and flour "Cask." will determine and expire on the first day of January next: and the said Acts having been found by experience to be

very usefull and Beneficial in Maintaining the Credit of that Staple Commodity of this Colony.

**BE IT THEREFORE ENACTED** by his Honour the Lieutenant Governor, the Council, and the General Assembly and it is hereby Enacted by the Authority of the same that the before mentioned Act Entitled, "An Act to prevent the Exportation of " Unmerchantable Flour, and the false Taring of Bread and flour " Cask," And the Act Entitled, "An Act further to Continue An " Act Entitled An Act to prevent the Exportation of unmerchant- " able flour and the False Taring of Bread and flour Cask," shall be and hereby are further continued, and every Clause Article, Matter and thing therein contained, enacted to be and Remain in full force to all intents, Constructions and purposes whatsoever until the first day of January which will be in the year of Our Lord One thousand Seven Hundred and Seventy five.

[CHAPTER 1244.]

[Chapter 1244 of Van Schaack, where the title only is printed. Continued by chapter 1278.]

**An Act to continue An Act Entitled An Act to restrain Hawkers and Pedlars from selling without Licence in this Colony,**

[Passed, October 20, 1764.]

**BE IT ENACTED** by His Honour the Lieutenant Governor, the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that the Act Entitled "An Act to Restraine Hawkers and Pedlars from Selling without Licence in this Colony, passed in the Thirty third Year of his Late Majesty's Reign, which will expire by it's own Limitation on the first day of January next ensuing; shall be continued, and every Article, Clause Matter and thing therein contained shall be and hereby is Enacted to remain of full force and Vertue, from the said first day of January next, until the first day of January which will be in the year of Our Lord One thousand Seven Hundred and Sixty Six.



## [CHAPTER 1245.]

[Chapter 1245 of Van Schaack, where the title only is printed. Expired January 1, 1768.]

An Act for Collecting the Duty of Excise on Strong Liquors Retailed in this Colony from the first day of January One Thousand Seven Hundred and Sixty five, to the first day of January One Thousand Seven Hundred and Sixty Six inclusive.

[Passed, October 20, 1764.]

BE IT ENACTED by his Honour the Lieutenant Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same that Cornelius Clopper shall be and hereby is appointed Commissioner for Collecting the Duty of Excise of and from the Several Retailers of Strong Liquors within the City and County of New York from the first day of January One Thousand Seven Hundred and Sixty five, to the first day of January which will be in the year of our Lord One thousand Seven Hundred and Sixty Six inclusive.

AND BE IT ENACTED by the Authority aforesaid that the said Commissioner shall as soon after the Publication of this Act as he shall Judge Convenient appoint the Several Retailers within the said City and County, and direct and Ascertain what each Retailer shall pay for the said duty from the first day of January One thousand Seven Hundred and Sixty five to the first day of January One thousand Seven Hundred and Sixty Six inclusive. ALWAYS PROVIDED that the whole Sum so to be laid on the Several Retailers in the said City and County shall be the full and entire Sum of Nine Hundred and fifty four Pounds, with the Additional Sum of One Hundred Pounds for incidental Charges, and his Commissions, which last is to be at the Rate of five per-cent, for which said Sum of One Hundred Pounds he shall Account on Oath to the Mayor Aldermen and Commonalty of the City of New York when by them thereunto required, and if it Exceeds his Commissions and incidental charges, the Surplus thereof shall be applied in Ease of the next years Excise, and the said Sum of Nine hundred and fifty four Pounds shall by the said Commissioner be paid unto the Treasurer of this Colony on or before the first day of January One thousand Seven Hundred and Sixty Six.

AND BE IT ENACTED by the Authority aforesaid that the several and Respective Persons hereafter named shall be and hereby are appointed Commissioners for Collecting the Duty of Excise of and from the Several and respective Retailers within the several and respective Counties of this Colony hereafter mentioned, and the Harbours, Bays, and Rivers Respectively thereunto Adjoining and belonging Viz't for the City and County of Albany Henry Bleeker Junior, and Peter Lansingh Esquires; for the Borough of Westchester the Mayor Recorder and Aldermen of the said Borough; for Kings County Theodorus Polhemus Esquire, for Queens County Benjamin Townsend, and Samuel Clowes Esquires; for Suffolk County Richard Floyd, Hugh Gelston and Samuel Landon Esquires; for Westchester County Edward Stephenson and Moses Travis Esquires; for Dutchess County Captain Zephaniah Platt, and Murray Lester Esquire; for Ulster County Captain Jonathan Hansbrook and Joseph Gasheirie Esquire; for Orange County Major William Thompson and Jacob Conkhing Esquire; and for Richmond County Hezekiah Wright, Joseph Bendell and Jacob Rezeau Esquires.

AND BE IT ENACTED by the Authority aforesaid that the aforesaid Several and respective Commissioners or the Major part of them respectively shall as soon as conveniently they can after the Publication of this Act meet at the County Hall of their Several and respective Counties, or at such Other place or places as they the said Commissioners shall respectively appoint for putting in Execution the powers and Authorities given by this Act: at which time or at such Other times as they shall judge Necessary the said Commissioners, or the Major part of them respectively shall for their own Counties and Districts Severally and respectively fix the Number and appoint the Several Retailers within their Several and respective Counties and districts and direct and Ascertain what each Retailer shall pay for the said Duty of Excise from the first day of January One thousand Seven Hundred and Sixty five to the first day of January One thousand Seven Hundred and Sixty Six, ALWAYS PROVIDED that the Sum to be laid on the several retailers in the City and County of Albany shall be the full and entire Sum of One Hundred and twenty Seven Pounds with the Sum of Twenty Eight Pounds in Addition thereto for the Charges of Managing the same; on the Several Retailers in the Borough of West Chester the full and Entire Sum of Ten Pounds; on the Several Retailers

In King's County the full and entire Sum of Forty Pounds, with the Sum of Five Pounds in Addition thereto for the Charges of Managing the same; On the several retailers in Queens County the full and entire Sum of One Hundred and twenty five Pounds with the Sum of Ten pounds in Addition thereto for the Charges of managing the same; On the several retailers in Suffolk County the full and entire Sum of Sixty Pounds with the Sum of Nine Pounds in Addition thereto for the Charges of Managing the same; On the several Retailers in West Chester County the full and entire Sum of Sixty Pounds with the Sum of Fifteen Pounds in Addition thereto for the Charges of Managing the same; on the Several Retailers in Dutchess County the full and entire Sum of forty two Pounds with the sum of Eight Pounds in Addition thereto for the Charges of managing the same; On the several Retailers in Ulster County the full and Entire Sum of Thirty Eight Pounds with the Sum of Eight Pounds in Addition thereto for the Charges of Managing the Same; On the several retailers in Orange County the full and Entire Sum of Nineteen Pounds with the Sum of four Pounds in Addition thereto for the Charges of managing the same; On the several retailers in Richmond County the full and Entire Sum of Twenty five Pounds with the Sum of One Pound Ten Shillings in Addition thereto for the Charges of Managing the same.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the aforesaid several and respective Commissioners shall before they enter on the Execution of the Powers and Authorities given by this Act enter into Recognizances unto Our Sovereign Lord the King his Heirs and Successors before any Judge of the Supreme Court, or of the inferior Courts, in the following Sums, that is to say the said Cornelius Clopper in the Penal Sum of One Thousand Nine Hundred and Eight Pounds; the said Henry Bleeker and Peter Lansingh in the Penal Sum of Two Hundred and fifty four Pounds; the said Benjamin Townsend and Samuel Clowes in the penal Sum of Two Hundred and fifty Pounds; the said Richard Floyd, Hugh Gelston and Samuel Landon in the penal Sum of One Hundred and twenty Pounds; the said Theodorus Polhemus in the Penal Sum of Eighty Pounds; the said Edward Stephenson and Moses Travis in the Penal Sum of One Hundred and twenty Pounds; the said Zephaniah Platt and Murray Lester in the Penal Sum of Eighty four Pounds, the said Jonathan Haasbrook and Joseph Gasherie in

the Penal Sum of Seventy Six Pounds, the said Jacob Conkling and William Thompson in the penal Sum of Thirty Eight pounds and the said Hezekiah Wright, Jacob Rezeau, and Joseph Bedell, in the penal Sum of Fifty Pounds. Conditioned that they shall well and truly pay to the Treasurer of this Colony on or before the first day of January which will be in the Year of Our Lord One thousand Seven Hundred and Sixty Six the several and respective Sums to be laid in manner as aforesaid on the several and respective retailers within their several and respective Counties exclusive of the several and respective Sums by this Act allowed for the Charges of Management.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that the aforesaid Several and Respective Retailers shall pay the aforesaid Several and respective Sums laid or to be laid on them, unto the aforesaid Several and respective Commissioners on or before the first day of December One thousand Seven Hundred and Sixty five, for Securing which payment, the said Commissioners shall respectively Oblige the said Several and Respective Retailers to give such Security as they the said Commissioners shall think necessary. PROVIDED that such Retailers in the City of New York as shall be rated at three Pounds and under, and such in the several Counties as shall be rated at thirty Shillings and under shall not be permitted to have Liberty to Retail unless they immediately pay the several and respective Sums they shall be rated at to the aforesaid respective Commissioners, any thing herein before contained to the contrary notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that in case any person or persons whatsoever, Other than such as the said Commissioners shall permitt shall presume to sell any strong Liquors by retail directly or indirectly, the Offender or Offenders shall for every such Offence forfeit the Sum of Six Pounds to be recovered by the said Commissioner or Commissioners, Respectively, on Oath of any One Credible Witness in a Summary way in the Cities of New York and Albany, and Borough of West Chester before the Mayor or Recorder, and one or more Aldermen of the said Cities and Borough respectively, and in the Several Counties before any Justice of the Peace within the said County respectively, and if upon Conviction the said forfeiture be not paid the same shall be levied on the Goods and Chittles of the Offender or Offenders by Warrant or War-

rants under the hands and Seals of the person or persons before whom such Conviction shall happen, and if no goods and Chattles are found on which to distrain, it shall and may be Lawfull for the person or persons who heard and determined the Cause to Commit the Offender or Offenders to Goal without Bail or Mainprize for the Space of three Months unless the Penalties are sooner discharged, and said respective Magistrates shall be and hereby are fully impowered, directed, and required to hear and determine those Matters In the Manner aforesaid, and to give judgment, and if need be to Award Execution thereon, and to issue a Warrant or Warrants for the Commitment of Offenders as the case may require, one third of which forfeiture shall be to the informer or informers, one third to the said Commissioners and one third to the poor of the Town, Manor or Precinct where the Offence shall be Committed to be paid into the hands of the Church Wardens or Overseers of the Poor of the said respective place or places by the Officer or Officers by whom the same shall be Levied, any thing in any of the Acts of this Colony to the contrary notwithstanding.

AND BE IT ENACTED by the Authority aforesaid that the several retailers who shall be permitted and Allowed to Retail by the said Commissioner or Commissioners shall before they do so retail any Strong Liquors enter into Recognizances, that is to say, in the Cities of New York and Albany and Borough of West Chester before the respective Mayors thereof, and in the several Counties of this Colony before two Justices of the Peace in the Penal Sum of Twenty Pounds with Sufficient Sureties in the like Sum conditioned to keep an orderly House according to Law during the time they shall be permitted to Retail as aforesaid, and thereupon the said respective Mayors, or the said Justices shall Grant to such person or persons who have entered into such Recognizances a Licence under his or their hands and Seals to Retail Strong Liquors, in such House and place as shall be mentioned therein during the Continuance of this Act; which Recognizances are to be lodged by the person or persons before whom the same shall be taken Vixt in the Cities of New York and Albany and Borough of West Chester with the Town Clerks, and in the several Counties with the respective Clerks thereof, and upon Complaint of the Breach of the said Condition it shall be Lawfull for the said Mayors and Aldermen of New York and Albany and Borough of West Chester respectively or the greater



number of them and in the Counties for the Justices of the General and Special Sessions of the peace to suppress the Licence or Licences of such Offender or Offenders.

AND BE IT FURTHER ENACTED by the Authority aforesaid that in case any of the Persons who shall be permitted to retail Strong Liquors as aforesaid by the said Commissioner, or Commissioners Shall presume to Retail before he she or they have Obtained a Licence and Entered into Recognizance to keep an Orderly House as aforesaid, he she or they so Offending shall Respectively forfeit the Sum of Six Pounds for each Offence to be recovered in a Summary way in the Manner before directed, one half thereof to the informer, and the Other half to the Poor of the Town Manor or precinct where the forfeiture shall Arise, and that the Expence of being Qualified to retail may be within the bounds of moderation, BE IT ENACTED by the Authority aforesaid that no more shall be taken for a Licence and Recognizance in the Cities of New York and Albany and Borough of West Chester than the usual and accustomed Fees, and in the respective Counties than the Sum of Three Shillings.

AND BE IT FURTHER ENACTED by the Authority aforesaid that such persons permitted to Retail as aforesaid by the said Commissioner or Commissioners who retail Strong Liquor not to be drank in their own Houses but carried elsewhere shall not be Obligated to Enter into the Recognizance and take Licence as aforesaid any thing contained in this Act to the Contrary notwithstanding.

AND BE IT ENACTED by the Authority aforesaid that in case all the several Sums for which the Excise shall be lett in the Several and respective Cities Counties and Districts of this Colony shall fall Short of the Sums herein before rated on the several and respective Cities, Counties and Districts with the Aforesaid incidental Charges of Letting and Collecting the same, then the Commissioner or Commissioners aforesaid where such Deficiencies shall happen shall be and are hereby empowered to Call the retailers before them, and Assess and Rate such Sum and Sums upon them as shall be Sufficient to make up such deficiencies which said Additional Sums shall be collected and paid in the same manner with the several and respective Sums first laid.

AND BE IT ENACTED by the Authority Aforesaid that in case of the Death of any of the aforesaid Commissioners, the

Surviving Commissioner or Commissioners where such Death may happen shall be and hereby is and are intitled to the whole Reward and Vested with the same powers and Authorities to Execute this Act, as if no such Death had happened, and in case of the Death of all the Commissioners of any of the respective Cities, Counties and Districts, then the Sheriff or Sheriffs for the time being of the City, County or Counties where such Death may happen shall be and hereby is and are Vested with all the Powers and Authorities given to the Commissioners by this Act, shall be under the same Regulations and Entitled to the same Rewards to all intents constructions and Purposes whatsoever as if they had been particularly named and appointed in this Act, any thing in this Act to the Contrary notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that all the Monies to be paid to the Treasurer of this Colony by Virtue of this Act shall be employ'd for and towards cancelling the Bills of Credit Struck and emitted upon the said Duty of Excise, at the times and in the Manner directed in and by an Act Entitled "An Act for the more effectual cancelling the Bills of Credit of this Colony" passed in the Twenty first Year of His late Majesty's Reign, and to and for no Other use whatsoever.

AND BE IT FURTHER ENACTED that the Retailers in the City of New York shall pay the Excise in three Several Payments or sooner as the Commissioner and they shall agree PROVIDED ALWAYS that nothing in this Act shall be construed to make Void Abridge or any wise lessen the several Rights, and Priviledges Granted unto the Cities of New York and Albany and Borough of West Chester by their respective Charters, any thing Contained in this Act to the Contrary thereof notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Commissioner or Commissioners of each County and District except the City and County of New York shall at the next meeting of the Supervisors of their respective Counties after the first day of January which will be in the Year of our Lord One Thousand Seven Hundred and Sixty Six render a true Account on Oath to them of all the Monies which he or they the said Commissioner or Commissioners has or have Received or shall be due to him or them on Account of the Excise for the preceeding Year, and whatever Sum or Sums he or they has or have Received or shall be due to Him or them above the Sum or

Sums directed by this Act to be Levied in their respective Counties or Districts shall be paid to the Treasurer thereof and applied by him towards the Defraying of the County Charges of the said County in the Manner the said Supervisors shall Direct any thing herein to the Contrary Notwithstanding.

[CHAPTER 1246.]

[Chapter 1246 of Van Schaack, where the title only is printed.]

An Act for Paying and Discharging Several Sums of Money Claimed as Publiick Debts of this Colony, and Other purposes therein Mentioned

[Passed, October 20, 1764]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that the Treasurer of this Colony shall and he is hereby directed and required out of the Ballance in the Treasury on the first day of September One thousand Seven Hundred and Sixty four by Vertue of the three following Acts Vizt an Act Entitled "An Act for Granting to His Majesty the \*Federal Duties and Impositions on Goods Wares and Merchandizes imported into this Colony therein mentioned." An Act Entitled, "An Act for Emitting Bills of Credit for the payment of the Debts, and for the better support of the Government of this Colony and Other purposes therein mentioned," and An Act Entitled, "An Act to restrain Hawkers and Pedlars within this Colony from Selling without Licence." To Pay the several Sums of Money to the several and respective Persons, and for the purposes following, that is to say,

UNTO HUGH GELSTON of Suffolk County or his Order for Supporting and Maintaining such of the People called French Neutrals as were Sick, Weakly, and unable to Provide for themselves, from the Month of December in the Year One thousand Seven Hundred and fifty nine, to the ninth day of August, One thousand Seven Hundred and Sixty three, as p his Accounts the Sum of One Hundred and fifty two Pounds Two Shillings and Eleven pence.

UNTO BURNET MILLER of said County or his Order for the like Expence and charge from the Month of January, One Thousand Seven Hundred and fifty nine to the Month of February One thousand Seven Hundred and Sixty One as p Account the

Sum of Thirty Eight Pounds Seventeen Shillings and Nine pence half penny.

UNTO JOHN CHATFIELD or his Order for the like Expence and charge from the Twenty Eighth day of September One thousand Seven Hundred and Sixty one, to the end of the year One thousand Seven Hundred and Sixty three, as p Account the Sum of Twenty Nine Pounds One Shilling and three pence.

UNTO SAMUEL FISH of Queens County or his Order for the like Expence and charge in the year One Thousand Seven Hundred and fifty Six as p Account the Sum of Twenty One Pounds Eight Shillings and Sixpence.

UNTO SAMUEL TOWNSEND of said County or his Order for the like Expence and Charge from the Month of October One thousand Seven Hundred and fifty Six, to the twenty Sixth of May One thousand Seven Hundred and Sixty three, as p his Account thereof the Sum of Forty one Pounds Seven Shillings and two pence.

UNTO JOHN TOWNSEND of said County or his order for the like Expence and Charge from the twenty Eighth of September One thousand Seven Hundred and Sixty one, to the fourth of May One thousand Seven Hundred and Sixty three, as p Account the Sum of Nine Pounds twelve Shillings.

UNTO GEORGE WEEKES of said County or his Order for the like Expence and Charge, in the Year One Thousand Seven Hundred and Sixty one as p Account the sum of Eight Pounds thirteen Shillings and Ten pence half penny.

UNTO JOHN BUTLER of said County or his Order for the like Expence and charge in the Year One Thousand Seven Hundred and Sixty two as p Account the Sum of Nine Shillings and Sixpence.

UNTO THOMAS YOUNG and THOMAS COLWILL or their Order for the like Expence and Charge from the Month of May One Thousand Seven Hundred and fifty Eight to November One thousand Seven Hundred and fifty Nine, as p Account, the Sum of three Pounds fifteen Shillings.

UNTO THE CHURCH WARDEN of the Township of Hemsted or his Order, for and in behalf of the said Township for the like Expence and charge of Zachariah Richard and family from the Month of January One Thousand Seven Hundred and fifty Seven, to October One Thousand Seven Hundred and Sixty as p Account the Sum of Thirty Six Pounds Nineteen Shillings and one penny.

UNTO BENDIRCK SUYDAM of Kings County for the like Expence and charge from the month of May One thousand Seven Hundred and Sixty, to the Month of December One Thousand Seven Hundred and Sixty One, as p Account the Sum of Twenty One Pounds twelve Shillings and Sixpence.

UNTO JOHN LEFFERTS of said County for the like Expence and charge from the Month of June One Thousand Seven Hundred and Sixty to the twenty Ninth of July One Thousand Seven Hundred and Sixty four, as per his Accounts thereof, the Sum of Forty four Pounds three Shillings.

UNTO ENGELBERT LOTT of said County for the like Expence and Charge from the Month of January One thousand Seven Hundred and Sixty two, to the twenty Ninth of July One thousand Seven Hundred and Sixty four, as per his Accounts thereof, the Sum of Sixteen Pounds Eighteen Shillings and four pence.

UNTO PHILIP NAGEL of said County for the like Expence and charge during the said time as p Account the sum of Fourteen Pounds Seventeen Shillings and Seven Pence half Penny.

UNTO JEREMIAS VAN DER BELT of said County for the like Expence and Charge during the said time as per Account the Sum of Eight Pounds fifteen Shillings and Eleven Pence.

UNTO ANTHONY BARTON of West Chester County or his Order for the like Charge and Expence in the Year One Thousand Seven Hundred and fifty Eight as per Account the Sum of three Pounds Six Shillings and Six pence.

UNTO GILBERT BLOOMER of said County or his Order for the like charge and Expence in the Year One Thousand Seven Hundred and Sixty one, as per Account the Sum of Nineteen Pounds three Shillings and Seven pence.

UNTO CATHARINE CRAIGE or her Order for House Rent for the like French Newtins from the Year One Thousand Seven Hundred and fifty Nine to September One Thousand Seven Hundred and Sixty one, as per Account the Sum of Two Pounds.

UNTO ISAAC VALENTINE or his Order for the like Expence and Charge for the years One thousand Seven Hundred and Sixty, and Sixty one, as per Account the Sum of Twenty Six Pounds twelve Shillings and five pence.

UNTO JOOST VAN BRUNT for Building a Watch House at the Beacons at Gravesend in Kings County in the Year One thousand Seven Hundred and Sixty, as per Account the Sum of Seventeen Pounds Ten Shillings and fourpence.



UNTO JACOBUS CALYER for Boarding a French Prisoner from the Eleventh of April to the Nineteenth of May One thousand Seven Hundred and fifty Eight, being thirty Eight days at five Shillings per Week, the Sum of One Pound Seven Shillings and Six pence.

UNTO NATHANIEL TOM of Queens County or his Order for Maintaining two French Officers from the thirteenth of March One thousand Seven Hundred and fifty Eight to the Nineteenth of May following is Sixty Eight days at one Shilling per day each, the Sum of Six Pounds Sixteen Shillings.

UNTO WILLIAM SACKET or his Order in full of the Balance of his Account to the fourth day of April One thousand Seven Hundred and fifty Eight for Boarding of French Officers, the Sum of Eight Pounds Eighteen Shillings.

UNTO WILLIAM SACKET Junior of said County or his Order for keeping and Boarding French Officers in the Year One thousand Seven hundred and fifty Seven as per Account the Sum of Four Pounds.

UNTO CAPTAIN WILLIAM HUMFREY or his Order for himself and Militia for Marching from Dutchess County up to Fort Edward and Attending on Duty there until Discharged by his Colonel in August One thousand Seven hundred and fifty Seven when Fort William Henry was Besieged the Sum of Seventy Nine Pounds Eighteen Shillings.

UNTO FREDRICK DETER or his Order for One Horse lost in his Majesty's Service in the year One Thousand Seven hundred and fifty Eight, the Sum of two Pounds ten Shillings.

UNTO PETER VAN BENTHUYSEN or his Order for a Horse lost in the said Service in the same year, the Sum of Four Pounds ten Shillings.

UNTO JONATHAN HOLMES or his Order for a Horse lost in the said Service in the Year One thousand Seven Hundred and fifty Six the Sum of Five Pounds ten Shillings.

UNTO the Executors or Administrators of Glsbert Pealing Deceased or their Order for a Waggon lost in the said Service in the Year One thousand Seven Hundred and fifty Seven, the Sum of Six Pounds ten Shillings.

UNTO WILLIAM KREISLER or his Order for a Horse lost in the said Service in the same Year the Sum of Three Pounds.

UNTO NICHOLAS N. ROW or his Order for a Horse lost in the said Service in the same year, the Sum of Three Pounds ten Shillings.

UNTO CORNELIUS KNICKERBACKER or his Order for a Horse lost in the said Service in the same Year the Sum of Four Pounds.

UNTO JOHN SON or his Order for a Waggon Lost in the said Service in the year One thousand Seven Hundred and fifty five, the Sum of One Pound Ten Shillings.

UNTO the Executors or Administrators of Ezekiel Masten or their Order for a Waggon lost in the said Service in the year One thousand Seven hundred and fifty Six, the Sum of Nine Pounds.

UNTO ZACHARIAH HOFFMAN or his Order for a Waggon lost in the said Service in the year One Thousand Seven Hundred and fifty Eight the Sum of Three Pounds Ten Shillings.

UNTO JACOB MELIUS or his Order for a Waggon lost in the said Service in the same Year the Sum of Five Pounds Six Shillings.

UNTO MATTHIAS JONCKHANS or his Order for a Waggon lost in the said Service in the same Year, the Sum of Five Pounds fifteen Shillings.

UNTO ENOS MEAD or his Order for a Waggon Lost in the said Service in the same year the Sum of Nine Pounds.

UNTO SAMUEL ROLAND or his Order for a Horse Lost in the said Service in the same year the Sum of Three Pounds fifteen Shillings.

UNTO ISAAC THORNE or his Order for a Horse Lost in the said Service in the Year One thousand Seven hundred and fifty Seven the Sum of Six Pounds.

UNTO JOHN BERTOE or his Order for a Horse Lost in the said Service in the year One thousand Seven Hundred and fifty Six the Sum of Six Pounds Ten Shillings.

UNTO JOSEPH REYNOLDS or his Order for a Horse lost in the said Service in the same year the Sum of Four Pounds.

UNTO the Executors or Administrators of Benjamin White or their Order for a Horse Lost in the said Service in the same Year the Sum of Eight Pounds.

UNTO JACOBUS VANDERPOEL or his Order for two Horses and a Waggon lost in the said Service in the Year One Thousand Seven hundred and fifty five, the Sum of Seven Pounds.

UNTO JOHANNES VANDERPOEL or his Order for two Horses and a Waggon lost in the said Service in the same year, the Sum of Seven Pounds Ten Shillings.

UNTO CASPARUS CONNIN or his Order for two Horses and a Waggon lost in the said Service in the same year, the Sum of Ten Pounds.

UNTO Francis Winne or his Order for two Horses and a Waggon lost in the said Service in the same Year, the Sum of Eleven Pounds.

UNTO Solomon Van Kar or his Order for a Waggon Lost in the said Service in the same year the Sum of Seven Pounds.

UNTO JOHANNES KLAAN or his Order for a Horse Lost in the said Service in the same Year the sum of Four Pounds.

UNTO PETER SCHWESER or his Order for a Horse Lost in the said Service in the same year, the Sum of Three Pounds five Shillings.

UNTO THOMAS HOOCHTELINGH or his Order for a Waggon lost in the said Service in the same year, the Sum of Two Pounds.

UNTO JOHN G. KLAUW or his Order for a Waggon Lost in the said Service in the same year the Sum of two Pounds five Shillings.

UNTO JOHANNES PROVOOST Esquire or his Order for a Waggon Lost in the said Service in the same year the Sum of Two Pounds fifteen Shillings.

UNTO CASPARUS BRONCK or his Order for a Waggon and two Horses lost in the said Service in the same year, the Sum of Nine Pounds.

UNTO MARTIN HALENBEECK or his Order for a Waggon lost in the said Service in the same year, the Sum of Four Pounds five Shillings.

UNTO CASPER VAN HOESSEN or his Order for a Waggon lost in the said Service in the same Year, the Sum of Two Pounds Ten Shillings.

UNTO PHILIP BRONCK or his Order for a Waggon lost in the said Service in the same year the Sum of Two Pounds five Shillings.

UNTO HENDRICK VANDENBERGH or his Order for a Waggon Lost in the said Service in the same year the Sum of Four Pounds.

UNTO TEUNIS HOOCHTELINGH or his Order for a Waggon lost in the said Service in the same Year, and for a Horse lost in the Year One thousand Seven hundred and fifty Eight, the Sum of Ten Pounds Ten Shillings.

UNTO JACOB FRETZ or his Order for a Waggon &c lost in the said Service in the year One thousand Seven hundred and fifty Eight, the Sum of Six Pounds Ten Shillings.

UNTO TOBIAS VAN BEUREN or his Order for a Horse Lost in the said Service in the same Year, the Sum of Four Pounds.

UNTO ISAAC PROVOOST or his Order for a Horse lost in the said Service in the year One thousand Seven hundred and fifty Seven the Sum of three Pounds Ten Shillings.

UNTO CASPER CALYER or his Order for two Horses lost in the said Service in the same year the Sum of Six Pounds.

UNTO ROBERT SAUNDERS or his Order for Twenty One Pounds of Gun Powder, and fifty Six pounds of Shott for the said Service, by Order of the Commissioners of Indian Affairs, the Sum of Four Pounds five Shillings.

UNTO JACOB H. TEN EYCK Esquire or his Order for Transporting and Victualling Six Mohawk Indians to Albany, the Sum of One Pound Eleven Shillings and Six pence.

UNTO PATRICK CLARK or his Order for going Express from Albany on His Majesty's Service at two different times in the year One thousand Seven hundred and Sixty three the Sum of Six pounds.

UNTO THE MAYOR ALDERMEN AND COMMONALTY of the City of New York for Money by them paid towards the Support of a Number of English Subjects who were sent here by the French from Newfoundland in the Year One thousand seven hundred and Sixty two, at the time they reduced that Island, the Sum of One hundred and two Pounds.

UNTO JOHN CRUGER Esquire for Money by him Advanced for the use of the said People upon their Return to Newfoundland after that place was again Reduced to his Majesty's Obedience the Sum of One Hundred and Twenty five Pounds.

UNTO the said JOHN CRUGER for Money Advanced by him to Lawrence Le Tellier french Interpreter for Translating sundry papers of a Publick Nature the Sum of Eleven Pounds ten Shillings.

UNTO DIRCK SCHUYLER for Money by him paid for Provisions and passages of three Indians from New York to Albany in the Year One thousand Seven hundred and fifty nine, the Sum of Four Pounds three Shillings and three pence.

UNTO WYNANT VAN ZANDT for Repairs to the Pumps and Wells in Fort George in New York from the fourth of September

One Thousand Seven Hundred and fifty three to the fourteenth of December One thousand Seven Hundred and fifty Six, the Sum of Eighteen Pounds One Shilling and Eight Pence.

UNTO MICHAL THODEY for Services by him performed in the Years One thousand Seven Hundred and fifty Nine, One thousand Seven hundred and Sixty, and One thousand Seven Hundred and Sixty two the Sum of Eighteen Pounds Eight Shillings.

UNTO EBENEZER MERRIT a Provincial Soldier to make reparation for his Loss of time in being made a Prisoner from the year One thousand Seven hundred and fifty six to the year One thousand Seven Hundred and fifty Eight, the Sum of Ten Pounds.

UNTO ANDREW GAUTIER for Sundry Repairs done to the House in Fort George, to the Battery, Hospital, and Red Store House in the Months of June and October One Thousand Seven Hundred and Sixty three, and in the Year One thousand Seven Hundred and Sixty four, as p his Accounts, the Sum of One Hundred and twenty Eight Pounds Seven Shillings and two pence half penny.

UNTO CADWALLADER COLDEN Junior or his Order for Provisions advanced to the Men Raised by this Colony to Guard the Frontiers of Ulster and Orange Counties, the Sum of Eighteen Pounds Seven Shillings and Ten Pence.

UNTO GARRAT NOEL for his Services as Publick Spanish Interpreter from the Year One thousand Seven Hundred and fifty three, to the Second of November One thousand Seven Hundred and Sixty three, in full of his Account Brought against this Colony the Sum of Twenty Pounds.

UNTO JOHN MARTIN for Services done as Gunner and Store-keeper of the Colony Stores from the twenty Eighth day of July One thousand Seven Hundred and Sixty three, to the twenty Eighth day of July One thousand Seven Hundred and Sixty four, the Sum of Twenty Pounds.

UNTO CHRISTOPHER BLUNDELL for the like Service in the year One thousand Seven Hundred and Sixty three, the Sum of Twenty Pounds.

UNTO Abraham Lott Junior Clerk of the General Assembly to be by him employed in paying the Several persons who were aiding and Assisting the Merchants of the City of New York in drawing up a Memorial in Order to be presented to the Parliament of Great Britain, complaining of the Hardships the Trade



of this Colony Labours under by Reason of the Statute of the Sixth of his Late Majesty King George the Second, commonly called the Sugar Act, for Making out several Copies thereof, and for Other Expences attending the same as p Account, the Sum of One Hundred and Sixty five Pounds two Shillings.

UNTO the said Abraham Lott for Chaires, Branches, Curtains, and Other Necessaries by him Provided for the use of the General Assembly, as p his Account thereof the Sum of One hundred and Sixty Pounds three Shillings and four pence.

UNTO the said Abraham Lott on Account to Enable him to carry on the usefull work of Reprinting and Binding up the Votes of the General Assembly of this Colony to the Number of three Hundred Books of the first Volume of the Said Votes pursuant to a Resolution of the General Assembly on the Eighth day of January One Thousand Seven Hundred and Sixty two the Sum of Seven Hundred and Sixty five Pounds.

UNTO GEORGE PHILIPS Esquire of Suffolk County or his Order for Maintaining and Supporting French Neutrals who were unable to Provide for themselves in fall of his Account the Sum of Eight Pounds five Shillings and four pence.

UNTO the Clerk of the Council or his deputy to be employed and applied to providing Chaires, Branches, Curtains, and other Necessaries for furnishing a Room for the use of the Council in the City Hall of the City of New York the sum of one hundred and Sixty Pounds three Shillings and four pence.

UNTO ABRAHAM DEPEYSTER Esquire Treasurer of this Colony for Money by him paid pursuant to two Warrants drawn by his Honour the late Lieutenant Governor De Lancey the one dated the first of May, and the Other the twenty Second of December One thousand Seven Hundred and fifty Eight, for Bounty Money of Several Volunteers enlisted into his Majesty's Service the said Year; which Warrants did not come to his hands 'till the Fund upon which they were drawn was Otherwise disposed of, and for that reason have hitherto remained unprovided for, the Sum of One Hundred and thirty One Pounds.

AND WHEREAS It appears by the Treasurers Accounts delivered to the General Assembly on the Ninetenth of September last that he hath paid Sundry Warrants drawn by his Honour the Lieutenant Governor in Council, payable out of the Monies Lodged in the Treasury by Vertue of an Act passed the thirteenth of December One thousand seven hundred and sixty

three Entitled, "An Act providing for three Hundred Effective Men exclusive of Officers to be employed against the Enemy Indians; and for One Hundred and Seventy three Men Officers included to Garrison Several Forts on the Frontiers of this Colony; in such manner as the Commander in Chief of all his Majesty's Forces in North America shall think proper; and also for three Hundred Effective Men exclusive of Officers to Guard the Western Frontiers of this Colony under the direction of the Governor or Commander in Chief thereof." amounting to the Sum of Twenty four Thousand One Hundred and forty Six Pounds, which Exceeds the Several Sums appropriated by the said Act Two Thousand three hundred and forty Pounds, AND WHEREAS Warrants for the said Sum of Two Thousand three hundred and forty Pounds, ought to have been drawn upon and made Payable out of the Money in the Treasury by Vertue of an Act passed the twenty first day of April in this present Year One thousand Seven Hundred and Sixty four, Entitled, "An Act providing for One Hundred and Eighty Men Exclusive of Officers to be employed against the Enemy Indians, and Other purposes therein Mentioned," instead of on the first mentioned Act; in Order therefore to Rectify that Mistake.

BE IT FURTHER ENACTED by the Authority aforesaid, that it shall and may be Lawfull to and for Abraham De Peyster Esquire Treasurer of this Colony, and he is hereby directed and required to Transfer the said Sum of Two thousand three hundred and forty Pounds from his Account by Vertue of the first Mentioned Act, and Charge it in Account by Vertue of the last Mentioned Act; any thing in either of the said Acts to the Contrary hereof Notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that the Treasurer shall keep Exact Books of all his Receipts and payments by Vertue of this Act, and a true and Just Account thereof shall render on Oath to the Governor or Commander in Chief for the time being, to the Council, or to the General Assembly, when by them, or any of them thereunto required.

## [CHAPTER 1247.]

[Chapter 1247 of Van Schaack, where the title only is printed. See chapter 1223.]

An Act to Reivive an Act Entitled "An Act for Raising Three Thousand Pounds by way of Lottery, to be laid out in a Bounty on Hemp to be Raised in this Colony," and for prolonging the time of drawing said Lottery.

[Passed, October 20, 1764.]

WHEREAS An Act Entitled, "An Act for Raising Three Thousand Pounds by way of Lottery, to be laid out in a Bounty on Hemp to be Raised in this Colony." Passed in the fourth year of His Majesty's Reign, Expired by it's own Limitation without having produced the intended Effect, and the General Assembly conceiving the Honour of this Colony engaged to pay the Bounty on Hemp in and by the said Act Granted do pray that it may be Enacted.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same that the above Mentioned Act, Entitled "An Act for Raising Three Thousand Pounds by way of Lottery to be laid out in a Bounty on Hemp to be raised in this Colony" shall be and hereby is revived and every Clause Article and thing therein contained Enacted to be and Remain in full force to all Intents Constructions and purposes whatsoever untill the first day of May next.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the several Clauses of the Act aforementioned where the Matters and things therein contained are Required to be done and performed, shall be and hereby are Extended and Enlarged to be done Acted and performed on or before the first day of May next aforesaid.

## [CHAPTER 1248.]

[Chapter 1248 of Van Schaack, where the title only is printed.]

An Act for the payment of the Salaries and Services of the Several Officers of the Government from the first day of September One Thousand Seven Hundred and Sixty four, to the first day of September One Thousand Seven Hundred and Sixty five included.

[Passed, October 20, 1764.]

BE IT ENACTED by his Honour the Lieutenant Governor, the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that the Treasurer of this Colony shall be and hereby is directed and Required out of the Monies arisen or which may arise by Vertue of the two following Acts, Vizt "An Act for Granting to His Majesty the Several Duties and impositions on Goods Wares and Merchandizes imported "into this Colony therein mentioned," and the "Act to restrain Hawkers and Pedlers from Selling without Licence in this Colony" to pay the several following Sums of Money Vizt.

Unto his Honour the Lieutenant Governor for Administring the Government of this Colony from the first day of September One thousand Seven Hundred and Sixty four to the first day of September One thousand Seven Hundred and Sixty five after the rate of One thousand Eight Hundred Pounds p Annum.

Unto his Honour the Lieutenant Governor, for Providing Firewood and Candles for his Majesty's Garrison in Fort George in the City of New York from the first day of September One thousand Seven Hundred and Sixty four, to the first day of September One thousand Seven Hundred and Sixty five the Sum of Four Hundred Pounds.

Unto the Chief Justice of this Colony for His Services in that station and for going the Circuits from the first day of September One thousand Seven Hundred and Sixty four, to the first day of September, One thousand Seven Hundred and Sixty five after the Rate of Three Hundred Pounds p Annum.

Unto the second Justice of the Supream Court of this Colony for his Services in that Station and for going the Circuits from the first day of September One thousand Seven Hundred and sixty four to the first day of September One thousand Seven

Hundred and Sixty five after the rate of Two Hundred Pounds p Annum.

Unto the third Justice of the supreme Court of this Colony for his Services in that Station and for going the Circuits from the first day of September One Thousand Seven Hundred and Sixty four to the first day of September One thousand Seven hundred and Sixty five after the Rate of Two Hundred Pounds p Annum.

Unto the fourth Justice of the Supreme Court of this Colony for his Services in that Station and for going the Circuits from the first day of September One thousand Seven Hundred and Sixty four to the first day of September One Thousand Seven Hundred and Sixty five, after the Rate of Two Hundred Pounds p Annum.

Unto the Secretary of this Colony for the time being for Ingrossing and Inrolling the Acts of the Governor Council and General Assembly from the first day of September One thousand Seven Hundred and Sixty four, to the first day of September One thousand Seven Hundred and Sixty five the Sum of Thirty Pounds.

Unto the Clerk of the Council for the time being for his Services in that Station from the first day of September One thousand Seven Hundred and Sixty four to the first day of September One thousand Seven Hundred and Sixty five the Sum of Thirty Pounds.

Unto the Door keeper of the Council for the time being for his Services in that Station from the first day of September One Thousand Seven Hundred and Sixty four, to the first day of September One thousand Seven Hundred and Sixty five the Sum of Twenty Pounds.

Unto William Weyman as Publick Printer of this Colony for his Services in that station from the first day of September One thousand Seven Hundred and Sixty four, to the first day of September One Thousand Seven Hundred and Sixty five after the Rate of Fifty Pounds p Annum.

Unto John Kipp as Guager of Liquor subject to Duties within this Colony or to the Guager thereof for the time being for his Services in that Station from the first day of September One thousand Seven Hundred and Sixty four to the first day of September One thousand Seven Hundred and Sixty five after the Rate of Thirty Pounds p Annum.



Unto Thomas Hill and Josiah Smith Land and Tide Waiters or to the Land and Tide Waiters for the time being for their Services in that Station from the first day of September One thousand Seven Hundred and Sixty four to the first day of September One thousand Seven Hundred and Sixty five after the Rate of Fifty Pounds per Annum each of them.

All which aforesaid Several Sums of Money shall be paid by the Treasurer on Warrants Issued by his Honour the Lieutenant Governor or the Commander in Chief for the time being by and with the Advice and Consent of His Majesty's Council of this Colony and the Receipt of the Several persons endorsed on the said Warrants shall be to the Treasurer good Vouchers and Discharges for so much as shall be thereby Acknowledged to be received.

AND BE IT ENACTED by the Authority aforesaid that the Treasurer shall be and hereby is directed and Required out of the Funds aforesaid to pay the several allowances following Vizt

Unto Abraham De Peyster Esquire Treasurer of this Colony for his Services in that Station from the first day of September One thousand Seven Hundred and Sixty four to the first day of September One thousand Seven Hundred and Sixty five after the Rate of Two Hundred Pounds p Annum.

Unto the said Treasurer for the Extraordinary Services which he is now Obligated to perform beyond the usual Duty of his Office after the Rate of the further Sum of One Hundred Pounds p Annum.

which said Several Sums or so much thereof as shall be really and Truly due shall be allowed to the said Abraham De Peyster or to his Executors or Administrators as good discharges, for so much in his or their Accounts.

Unto Robert Charles Esquire, agent of this Colony in Great Britain as a Reward for his care trouble and Diligence in attending upon His Majesty and his Ministers of State in that Station from the first day of September One Thousand Seven Hundred and Sixty four, to the first day of September, One Thousand Seven Hundred and Sixty five after the Rate of Two Hundred Pounds p Annum which said Sum or so much thereof as shall be really and truly due shall be paid unto him the said Robert Charles or to his Executors or Administrators by an Order of the General Assembly of this Colony signed by their Speaker for the time being and not Otherwise.

Unto John Tabor Kemp Esquire his Majesty's Attorney General of this Colony for Several Extraordinary Services performed by him in that Station the Sum of One Hundred and fifty Pounds.

UNTO Abraham Lott Junior as Clerk of the General Assembly for his Services in that station from the first day of September One thousand Seven Hundred and Sixty four to the first day of September One thousand Seven Hundred and Sixty five, Twenty Shillings p Diem payable upon a Certificate from the General Assembly Signed by the Speaker for the Number of days he has Served or may serve the General Assembly.

UNTO Alexander Lamb door keeper of the General Assembly for his services in that Station from the first day of September One thousand Seven hundred and Sixty four to the first day of September One thousand Seven Hundred and Sixty five Six Shillings per diem payable upon a Certificate from the General Assembly signed by the Speaker for the Number of days he has served or may serve the General Assembly.

UNTO the said Alexander Lamb for Sundry disbursements and Extraordinary Services made and performed by him for the use of the General Assembly the Sum of Thirty Pounds.

BE IT ENACTED by the Authority aforesaid that for answering the Expences of Contingencies and Extraordinary Emergencies that have or may happen for the Service of this Colony from the first day of September One thousand Seven Hundred and Sixty four to the first day of September One Thousand Seven Hundred and Sixty five Warrants may issue for the Same on the Treasurer from time to time if drawn by the Lieutenant Governor or Commander in Chief for the time being with the Advice and consent of the Council, which the Treasurer is hereby Ordered and Directed to pay out of the Monies arising by Virtue of the two Acts herein before mentioned Provided the amount of the said Warrants do not exceed the Sum of One Hundred Pounds during that time.

AND BE IT ENACTED by the Authority aforesaid that the Treasurer shall and he is hereby directed to keep exact Books of the Several payments which he is directed to make by this Act, and shall render true and distinct Accounts thereof upon Oath to his Honour the Lieutenant Governor or Commander in Chief for the time being, the Council or the General Assembly when by them or any Of them he shall be thereunto Required.

## [CHAPTER 1219.]

[Chapter 1219 of Van Schaack, where the title only is printed.]

An Act for appropriating the Sum of Fifty Nine Thousand Two Hundred and Fifty Pounds of the Monies therein mentioned for Calling in, Sinking, and Cancellling Bills of Credit to that amount of the Emissions therein mentioned.

[Passed, October 29. 1764.]

WHEREAS this Colony hath at the Requisition of His late Majesty raised several large Sums of Money in Paper Bills of Credit for carrying on his Service in the late War, and Burthened its Inhabitants with Taxes on Estates Real and personal for Sinking and Cancellling the said Bills in short Periods; which Taxes being extended 'till the Year of Our Lord One Thousand Seven Hundred and Sixty Seven, and Annually paid in with the Greatest Difficulty. AND WHEREAS the Parliament of Great Britain in consideration of the Inability of the Several Northern Colonies hath Granted Several Sums in part to Reimburse them for the great Expence they have been at in forwarding His Majesty's Service; and there remaining of the several Sums allotted, out of the said Grants to this Colony a Sum Sufficient to Cancel One half of the Taxes which will Remain due from the Year One thousand Seven Hundred and Sixty five to the year One thousand Seven Hundred and Sixty Seven inclusive, and the General Assembly being willing and desirous as much as in them lays to ease the good people of this Colony from the intolerable Load of Taxes under which they at present labour, Pray that It may be Enacted, and

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor, the Council, and the General Assembly, and It is hereby ENACTED by the Authority of the same, that it shall and may be Lawfull to and for the Treasurer of this Colony, and he is hereby directed and Required out of the Monies hereafter Mentioned now in the Treasury or which may hereafter be in the Treasury arising by the Sale of Bills of Exchange drawn or to be drawn by him on Sir William Baker Knight and Robert Charles Esquire of London, to wit, "Of the Balance of Nine Hundred and ten Pounds, Eight Shillings and one penny Sterling due to this Colony on Account of Monies Granted by

"Parliament for the Northern Colonies, and in the hands of the  
"said Sir William Baker Knight, and Robert Charles Esqr as  
"appears by their Account Current dated the Nineteenth day of  
"October One thousand Seven Hundred and Sixty two." "Of  
"the Sum of One thousand and Eighty nine pounds three Shil-  
"lings Sterling received by the said Sir William Baker Knight  
"and Robert Charles Esquire, Out of the Ten Thousand Pounds  
"Stopped in the year One thousand Seven Hundred and Sixty  
"two, for a Claim made by the Agent of the Massachusetts Bay  
"for Garrison service" "Of the Sum of One thousand four Hun-  
"dred and forty four pounds Seven Shillings and Six pence  
"Sterling, Received by the said Sir William Baker Knight and  
"Robert Charles Esqr from the Agent of the Colony of Counce-  
"lieut, as the proportion of this Colony out of the Sum of Three  
"Thousand Six Hundred and Nineteen Pounds Sterling over-  
"paid to the said Colony out of the Parliamentary Grant for the  
"Service of the year One Thousand Seven Hundred and Sixty  
"one." Of the Monies now in or which may be in the Treasury  
by Virtue of an Act passed in this present fourth Year of his  
Majesty's Reign Entitled "An Act to empower Sir William  
"Baker Knight and Robert Charles Esqr of London to Receive  
"the Sum that shall be Allotted to this Colony by His Majesty  
"out of the Sum of One Hundred and thirty three thousand Three  
"Hundred and thirty three Pounds Six Shillings and Eight  
"Pence Granted by Parliament for the Northern Colonies  
"towards defraying the Expence of the Campaign of the Year  
"One thousand Seven Hundred and Sixty one." And of the  
Monies to Arise by the Sale of Bills of Exchange to be by him  
drawn by Virtue of an Act passed in the said fourth year of His  
Majesty's Reign Entitled, "An Act to empower Sir William  
"Baker Knight and Robert Charles Esqr of the City of London  
"to Receive such Sum as shall be Allotted to this Colony by His  
"Majesty out of the Sum of One Hundred and thirty three thou-  
"sand three hundred and thirty three Pounds Six Shillings and  
"Eight pence Sterling Granted by Parliament towards defray-  
"ing the Expence of the Northern Colonies in the Campaign of  
"the year One thousand Seven hundred and Sixty two." to  
employ and appropriate the Sum of Fifty Nine thousand two  
Hundred and fifty Pounds for calling in, Sinking and Cancellling  
Bills of Credit of this Colony of any Emission or Emissions what-  
soever to the Amount of the said Sum of Fifty Nine thousand  
two Hundred and fifty Pounds.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the said Treasurer shall and he is hereby directed and Required as soon after the Publication of this Act as may be to procure and Collect together the said Sum of Fifty Nine thousand two Hundred and fifty Pounds that the same may be ready in the Treasury to be Sunk and Cancelled in the Month of June next pursuant to the directions of an Act passed in the twenty first year of the Reign of his late Majesty King George the Second Entitled, "An Act for the more effectual cancelling the "Bills of Credit of this Colony."

AND WHEREAS the said Sum of Fifty Nine Thousand Two Hundred and fifty Pounds is the just Moiety or half part of the Taxes which will remain due from and are payable by this Colony in the Years One thousand Seven Hundred and Sixty five, One thousand Seven hundred and Sixty Six and One thousand Seven Hundred and Sixty Seven, by Virtue of the following Acts VIZT An Act passed in the Twenty Ninth year of the Reign of his late Majesty King George the Second Entitled, "An Act for Raising "paying and Subsisting One Thousand Seven Hundred and "fifteen effective Men, Officers included to be employed in Con- "junction with the Neighbouring Colonies on an Expedition for "reducing the French Fort at Crown Point, and carrying on an "Offensive War against the Indians who infest the Western "Frontiers of this Colony; and Other purposes therein Men- "tioned," an Other Act passed in the thirty first year of the Reign of his said late Majesty, Entitled "An Act for raising, "Paying and Cloathing Two Thousand Six Hundred and Eighty "Effective Men Officers included for forming an Army of Twenty "thousand Men with the Forces of the Neighbouring Colonies to "invade the French possessions in Canada in Conjunction with a "Body of His Majesty's Regular Troops: and Other purposes "therein mentioned." An Other Act passed in the thirty Second year of the Reign of his said late Majesty Entitled, "An Act for "Raising a Supply of One hundred thousand Pounds for Levy- "ing, paying and Cloathing Two Thousand Six Hundred and "Eighty Effective Men Officers included for forming with the "Forces of the Neighbouring Colonies an Army of Twenty thou- "sand Men, to invade in Conjunction with a Body of His "Majesty's Regular Troops the French possessions in Canada: "For Emitting Bills of Credit for the like Sum; and for Sinking "and Cancelling the said Bills in Short Periods." And One



Other Act passed in the thirty third year of the Reign of his said late Majesty Entitled, "An Act for Levying, Paying and "Cloathing Two Thousand Six Hundred and Eighty effective "Men Officers included for forming an Army of Twenty Thou- "sand Men with the Forces of the Neighbouring Colonies, to "reduce in Conjunction with his Majesty's Regular Troops Mon- "treal and Other Posts belonging to the French in Canada; for "Emitting Bills of Credit for the Sum of sixty thousand Pounds, "and for Sinking and Cancelling the said Bills in Short Periods."

BE IT THEREFORE FURTHER ENACTED by the Authority aforesaid that instead of Assessing Raising and Levying in the said Years One thousand Seven Hundred and Sixty five, One thousand Seven hundred and Sixty Six, and One thousand Seven Hundred and Sixty Seven, the Several and respective Sums ordered and directed by the said Acts passed in the Twenty Ninth, thirty first, thirty Second, and thirty third years of the Reign of his said late Majesty to be Raised Levied and Collected in the several Cities and Counties of this Colony It shall and may be Lawfull to and for the Mayor, Recorder and Aldermen of the City of New York and the Supervisors of the City and County of Albany and all the Other Respective Counties in this Colony, or the Major part of them respectively for the time being; and they are hereby enjoined, directed, Authorized, and required to Assess and raise in each of the three years before mentioned only the one Moiety or half part of the respective Sums they are Ordered, directed and required by the four Acts last mentioned to Assess and Raise in the said Years; any thing in any of the said four Acts or any Other Act of this Colony to the Contrary hereof notwithstanding

AND BE IT FURTHER ENACTED by the Authority aforesaid that the said Treasurer shall and he is hereby directed and Required to keep Exact Books of all the Monies that shall come to his hands and be cancelled by Virtue of this Act, and a true and just Account thereof shall render an Oath to his Honour the Lieutenant Governor or Commander in chief of this Colony for the time being, the Council or the General Assembly, when by them or any of them thereunto Required.

## [CHAPTER 1230.]

[Chapter 1230 of Van Schnack, where the act is printed in full. See chapters 1321 and 1347.]

An act for facilitating the Settlement of the Partition Line between the Colony of New York and the Province of the Massachusetts Bay.

[Passed, October 20, 1764.]

WHEREAS IT is highly necessary that the Boundaries between Neighbouring Colonies should be ascertained not only for their Internal good Government by the establishment of their respective Jurisdictions But for the preservation of a Mutual good understanding and friendly Intercourse between them AND WHEREAS a Controversy prejudicial to private property and productive of frequent Mischiefs and disorders hath long Subsisted between this Colony and the Province of the Massachusetts Bay with respect to their several Limits TO THE END THEREFORE that the Boundary or Partition Line between them may be finally Adjusted and finally established

BE IT ENACTED by His Honour the Lieut Governor the Council and the General Assembly and it is hereby enacted by the authority of the same that all and Singular the Messuages Lands Tenements & Hereditaments and all Right Title Interest and property in and to the same which are held or claimed by any of His Majestys Subjects by virtue of any Grant or Grants under the Great Seal of this Colony, and are, can, Shall, or may be in any wise affected by the said Controversy concerning the Boundary or Partition Line between this Colony and the Province of the Massachusetts Bay are hereby fully and absolutely to all Intents Constructions and purposes in the Law whatsoever Submitted and made Subject to Such method of decision as His most Gracious Majesty Shall think proper by his Royal COMMISSION or otherwise to Institute and Appoint for the final Settlement and determination of the Boundary or Partition Line between the Said Colony and Province and that all and every Determination and Determinations to be made by any Person or Persons whatsoever by Authority derived from His Most Gracious Majesty by His Royal Commission or otherwise that Shall in any wise concern the Said Line or the Controversy that has hitherto Subsisted relating to the same and whereby the Right

Title Interest and property of the Said Messuages Lands Tenements and Hereditaments so held or claimed by such Grants as Aforesaid or any part or parcel thereof shall be intended to be bound and determined shall fully compleatly and absolutely bind and for ever determine the Right Title Interest and Property of the Said Messuages Lands Tenements and Hereditaments to all Intents Constructions and purposes in the Law whatsoever Any Law usage or Custom to the contrary thereof in any wise Notwithstanding

AND to the end that Sufficient provision may be made on the part of this Colony for payment of the one equal half part of the joint expence to accrue on the final Settlement of the Said Controversy and the Boundary Line between the Said Colony and Province and also for paying the particular expences that shall or may Accrue on the part of this Colony in prosecuting the Said Controversy to a final Settlement

BE IT ENACTED by the Authority Aforesaid that Robert R Livingston, Abraham Ten Broeck, Benjamin Seaman, Leonard Lisenard, William Smith Junior, William Livingston, and Philip Schnyler Esquires, or the MAJORITY of them or the Majority of the Survivors of them are hereby Nominated And Appointed Agents to Manage the said Controversy on the part and behalf of this Colony and Also that the said Managers or the Major part of them and the Major part of the Survivors of them Shall and are hereby Authorized to pay lay out and expend from time to time from and out of the Publick Monies in the Treasury of this Colony all Such Sum and Sums of money as shall from time to time be necessary to defray as well the One half of the said joint expence as the particular expences aforesaid Which Sum and Sums of Money shall from time to time upon Application of the said Managers or the Major part of them or the Major part of the Survivors of them as Occasion shall require be drawn out of the said Treasury by Warrant or Warrants of His Honour the Lieutenant Governor or the Commander in Chief of this Colony for the time being by and with the advice of His Majesty's Council in favour of the said Managers or the major part of them and the major part of the Survivors of them And Also that the said managers and the Survivors of them Shall from time to time account upon Oath for and concerning the Execution of the Trust hereby reposed in them to His Honour the Lieutenant Governor or the Commander in chief for the time

being the Council or the General Assembly of this Colony when by them or any of them they shall be thereunto required Provided always that if His Excellency the Governor or the Commander in chief for the time being and the Council and General Court or Assembly of the said Province of the Massachusetts Bay do not within One Year next After the Publication of this Act pass an Act for Submitting and Subjecting all the Messuages Lands Tenements and Hereditaments And all the Rights Titles INTEREST and property thereof held or claimed by any of His Majesty's Subjects as being and lying within the said Province of the Massachusetts Bay to the same method of Decision and to be bound and determined in Such manner as in and by this Act is Mentioned and directed concerning Lands held or claimed by any of his Majesty's Subjects by virtue of Grants under the Great Seal of this Colony that then and in Such case and immediately thenceforth this Act and every Article Matter Clause and thing in the same contained shall be Absolutely Null and Void, and of no effect to all Intents Constructions and purposes in the Law whatsoever as if the Same had never been made and passed Any Law usage or custom to the contrary hereof in Any wise notwithstanding

[CHAPTER 1251.]

[Chapter 1251 of Van Schaack, where the act is printed in full. See chapter 1005.]

An Act further to continue an Act entitled "An Act to encourage the taking and destroying of Wild Cats in the County of Suffolk.

[Passed, October 20, 1764.]

BE IT ENACTED by his Honour the Lieutenant Governor the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same, that the Act entitled "An Act to encourage the taking and destroying of Wild Cats in the County of Suffolk" passed in the twenty Ninth Year of his late Majesty King George the Second's Reign, being near Expiring shall be and hereby is further continued, and every Clause, Article, Matter and thing therein contained, Enacted to be and Remain of Force from the first day of January next until the first day of January which will be in the Year of Our Lord One Thousand Seven Hundred and Seventy five.

## [CHAPTER 1252.]

[Chapter 1252 of Van Schnack, where the act is printed in full. See chapter 1111.]

An Act further to Continue An Act  
Entitled An Act to prevent Damages by  
Swine in Dutchess County.

[Passed, October 20, 1764.]

BE IT ENACTED by His Honour the Lieutenant Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same, That An Act entitled, "An Act to prevent Damages by Swine in Dutchess County, passed in the Nineteenth Year of his late Majesty's Reign, and continued by Several Subsequent Acts until the first day of January next, shall be, and hereby is further continued in full Force until the first day of January which will be in the Year of our Lord One thousand Seven Hundred and Seventy five.

## [CHAPTER 1253.]

[Chapter 1253 of Van Schnack, where the act is printed in full.]

An Act for dividing the Precinct of  
Goshen in Orange County into two Precincts,  
to be called by the Names of Goshen and  
Cornwall.

[Passed, October 20, 1764.]

WHEREAS the Precinct of Goshen in Orange County is so Extensive in it's Bounds that the Inhabitants thereof cannot attend the Annual Meetings without Great Inconveniency; for the remedy thereof.

BE IT ENACTED by His Honour the Lieutenant Governor, the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that the said Precinct shall be divided into two precincts in the following Manner, namely, a Straight and a direct Line is to be run, beginning at the Borders or Verge of the County of Ulster near the New dwelling House of John Manno and to Run from thence on a course which will leave the House of Barnabas Horton four Ten Chains to the Westward of Said Course, and so to continue the same Course to the most Extreme parts of the abovesaid Precinct of Goshen; One of said Precincts shall contain all that part of the County of Orange which lies to the Westward of said Line and be called



by the Name of Goshen Precinct; and the other shall contain all that part of the County of Orange which lies to the Eastward of said Line and be called by the name of Cornwall Precinct; In each of which two Precincts shall be chosen annually by a Majority of Voices of the Freeholders and Inhabitants then met One Precinct Clerk; One Supervisor, four Assessors, three Commissioners of the Highways, One Collector, two Overseers of the Poor, three Constables and as many Overseers of the Roads and Fence Viewers as the Inhabitants then met shall Judge most convenient.

AND BE IT FURTHER ENACTED by the Authority Aforesaid that the Freeholders and Inhabitants of the Precinct of Goshen shall meet annually for the Election of Officers on the first Tuesday of April at the Court House in the Town of Goshen; And the Freeholders and Inhabitants of the precinct of Cornwall shall annually meet on the same day at the House of John Brewster for the choosing and Electing the Officers for said Precinct.

AND BE IT FURTHER ENACTED by the Authority aforesaid that it shall and may be Lawfull for the Freeholders and Inhabitants of the Precinct of Cornwall at any of their annual Meetings for Electing of Officers as aforesaid by a Majority of Voices to appoint any Other certain place within the said Precinct for their next Election as aforesaid, which place shall be the place of Election 'till another appointment be made in the same manner, for the same purpose.

AND BE IT FURTHER ENACTED by the Authority Aforesaid, that the aforesaid Line shall be run in the presence of at least three of the Justices of the Peace for each Precinct, and the Expence thereof borne at the Equal charge of each precinct, and to be raised in the same manner as the Other contingent Charges of said Precinct are Raised.

#### [CHAPTER 1254.]

[Chapter 1254 of Van Schnack, where the title only is printed. Expired January 1, 1763.]

'An Act for the better Regulating the  
Taxation of Estates in Ulster County.

[Passed, October 20, 1764.]

[WHEREAS the Taxing, Rating and Assessing, Heretofore made by the Assessors in the County of Ulster, Hath not been

Equal, and in due proportion, according to the Real and personal Estates, which the Freeholders and Inhabitants of said County do Possess and enjoy, for remedy Whereof.

BE IT ENACTED by His Honour the Lieutenant Governor, the Council, and the General Assembly and It is hereby Enacted by the Authority of the same that the Supervisors of the said County, or the Majority of them shall at their annual Meeting or meetings, Issue out their Warrants, commanding the Assessors of each respective Town, Manor and Precinct in the said County for the time being to meet and Assemble together on a Certain day and place, then and there to concert, agree upon and Settle by a Majority of Voices a certain Rule or Plan to calculate the true Value of the Real and Personal Estates within said County, and then the said Assessors are to proceed to Rate all the Estates, Real and personal of all the Freeholders and Inhabitants of the several Towns, manor, and Precincts for which they are Chosen or appointed respectively, and Return at such time and place as by the said Warrant shall be directed a List under their hands of every person's name with the Sum or Sums annexed they shall in pursuance of this Act rate each person at, and the several Assessors before they enter upon the Duties of their Offices, shall each of them take the following Oath before any of the Justices of the peace for said County, who are hereby respectively Authorized and Required to Administer such Oath Vizt.

" I A. B. do Swear on the Holy Evangelists of Almighty God  
" that I will Return a List according to the best of my knowl  
" edge containing the Names of all the Freeholders and Inhabl  
" tants within the District for which I am Chosen or appointed  
" Assessor; and that I shall and will, Well and Truly Equally  
" and Impartially, and in due proportion to the best of my Skill  
" and understanding, and according to the Rule or Plan to be  
" agreed upon by Virtue of an Act Entitled, an Act for the  
" better Regulating the Taxation of Estates in Ulster County,  
" Rate all the whole Estates Real and personal (the unimproved  
" Land Excepted) of all the Freeholders and Inhabitants within  
" the District for which I am Chosen or appointed Assessor, and  
" that I will carefully according to the best of my Skill and  
" understanding compute the full Value of such Estate without  
" any deduction for Debt, or supposed Debts or incumbrances,  
" and against the name of every such person will set down the

"Value of all his or her whole Estate Real and personal, as nigh  
 "as I can discover the same, and set down for each Hundred  
 "Pounds real Value Ten pounds, and in that proportion for  
 "a greater or lesser Sum, so help me God."

AND BE IT FURTHER ENACTED by the same Authority, that the said Supervisors shall make the Quota of each respective place, according to the Total Sum of each List returned as aforesaid and not Otherways, and that the Clerk of the Supervisors shall Transcribe each List, and add to each person's Rate the Sum or proportion each person is to pay of what the Supervisors find the said County chargeable with, and when the said Lists are compleated, the said Supervisors, or the Greater number of them are hereby required to Issue their Warrants commanding the Collector or Collectors of each Town Manor or Precinct to collect and Pay the same as by the Warrant shall be directed.

AND BE IT FURTHER ENACTED by the Authority aforesaid that every Assessor or Assessors who shall or may Neglect, Delay or Refuse to perform the Duty required of him or them by this Act, shall forfeit the Sum of Five Pounds, which forfeiture shall be sued for and Recovered with Costs of Suit's by any one of the Supervisors of said County, before any one of His Majesty's Justices of the Peace within said County, which forfeiture so recovered shall be lodged in the hands of the County Treasurer and to be applied by the Supervisors, towards paying the Contingent and Necessary charges of said County, this Act to be in full force from the Publication thereof until the first day of January which will be in the Year of Our Lord One Thousand Seven Hundred and Sixty Eight and no longer any Law, Usage, or Custom to the contrary notwithstanding.

#### [CHAPTER 1255.]

[Chapter 1255 of Van Schaack. where the title only is printed.]

An Act to Raise within the Bounds and Limits of the Township of Schenectady the Sum of Eighty Pounds towards paying for a Fire Engine, purchased for the use of the said Township

[Passed, October 20, 1764.]

WHEREAS the Inhabitants of, and Others holding Estates in the Township of Schenectady, have by a voluntary Subscription

among themselves raised a Sum of Money towards purchasing a Fire Engine for the use of the said Township; AND WHEREAS the Money so raised falls short of Paying for the said Engine the Sum of Eighty Pounds, which it is not possible to collect without a Law for that purpose.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor, the Council and the General Assembly and it is hereby ENACTED by the Authority of the same that it shall and may be Lawfull to and for the Supervisors of the City and County of Albany, or the Major part of them, and they are hereby directed and required at their next meeting to Raise, Levy and Collect, of and from the Several Freeholders, Inhabitants and Sojourners dwelling and residing on the South side of the Mohawk River within the said Township of Schenectady and within one Mile of the Dutch church there, and of and from such Other person and persons, as hold and enjoy Estates, within the said Limits and Bounds and not actually resident therein a Sum not exceeding the Sum of Eighty Pounds: which said Sum shall be raised Levied and Collected in the same manner as the Other Necessary and Contingent charges of the said Township are as near as may be.

AND BE IT FURTHER ENACTED by the same Authority, that the Money so to be Raised by this Act shall by the Collector or Collectors thereof be paid unto the Justices of the Peace residing within the Township aforesaid, to be by them applied, and employed, in Paying the Ballance due on the said Fire Engine.

[CHAPTER 1256.]

[Chapter 1256 of Van Schaack, where the act is printed in full Amended and the reward increased by chapter 1374.]

An Act for the more Effectual destroy-  
ing of Wolves and Panthers in the Counties  
of Ulster, Dutchess and Orange.

[Passed, October 20, 1784.]

BE IT ENACTED by His Honour the Lieutenant Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same that from and after the first day of January next and during the Continuance of this Act, Every person being an Inhabitant of each of the said Counties who shall actually take, kill, or destroy any Wolf or Wolves Whelp or Whelps, Panther or Panthers, within the Counties aforesaid

shall be entitled to and receive the Reward following, that is to say for every grown Wolf or Panther the sum of Thirty Shillings, and for every Whelp or Whelps the sum of Fifteen Shillings to be paid by the County Treasurers respectively as shall be directed by this Act.

AND THAT FRAUDS may not be committed, and the Freeholders and Inhabitants of the aforesaid Counties may not be imposed upon, by persons living out of the said Counties

BE IT THEREFORE ENACTED by the Authority aforesaid that before any Inhabitant of the said Counties shall be entitled to any of the rewards allowed by this Act, he shall carry the head or heads of such Wolf or Wolves, Whelp or Whelps, Panther or Panthers with the Intire Skin thereon to any Justice of the Peace or any of the Supervizors dwelling in the said Counties And the Said Justice or Supervizor shall be and are hereby Impowered directed and Required to Administer to every such Inhabitant an Oath (and if a Quaker an Affirmation) in the words following; You A. B. do Swear (or Affirm) that the Wolf (or Panther) the head whereof you now Produce to me was actually taken and Killed within the County of \_\_\_\_\_ and that you are an Inhabitant of the said County of \_\_\_\_\_ and the said Justice or Supervizor shall in Administering the said Oath or Affirmation in the Blank left add the name of the County whereof such Inhabitant is Sworn or Affirmed after the taking of such Oath or Affirmation the said Justice or Supervizor shall and hereby is impowered and required to give a Certificate thereof to such person or persons as have so Sworn or Affirmed as aforesaid, and such Justice or Supervizor dwelling and residing in the respective Counties aforesaid for Administering such Oath or Affirmation and giving a Certificate thereof under his hand shall Receive no fee or Reward; and the said Justice or Supervizor in giving such Certificate shall therein Mention the name or Names of such person or persons as have so Sworn or Affirmed that they had Actually taken and Killed such Wolf or Wolves, Whelp or Whelps, Panther or Panthers, within the County aforesaid, and to distinguish whether the same were a full Grown Wolf, Whelp or Panther, and the Ears on the said Wolves, Whelps or Panthers so certified are to be cut off in the presence of the said Justice or Supervizor; and such Certificate being produced to the supervisors of the said County, the said supervisors shall allow such person or persons as shall produce such Certificate as aforesaid



all such Sum or Sums of Money as are allowed by this Act for Destroying of Wolves, Whelps or Panthers: and the said Reward shall be a County charge, and shall be raised Assessed and Levied together with the other Necessary and contingent Charges of the said County.

BE IT ENACTED by the Authority aforesaid that the Supervisors of the said County shall and are hereby Impowered required and directed to Order the aforesaid Sum or Sums of Money, by this Act to become due to be paid to the County Treasurer, and the same Treasurer shall pay the same as shall be Ordered And directed by the said Supervisors to such person or persons, or their assigns as have so killed or destroyed such Wolf or Wolves, Whelp or Whelps, panther or panthers.

BE IT FURTHER ENACTED by the Authority Aforesaid that every Native Free Indian or Negro or Other Slave, who shall have Actually Killed or destroyed any Wolf or Wolves, Whelp or Whelps, Panther or Panthers within any of the Counties aforesaid and carry the head or heads thereof with the Intire Skin thereon to any of the Justices or Supervisors of the said Counties wherein such Wolves Whelps or Panthers are killed or destroyed, and bring such Evidence or give such reasons to the satisfaction of the said Justice or Supervisor, that such Wolf or Wolves, Whelp or Whelps, Panther or Panthers, were killed within the said County where such Justices or Supervisors were appointed or Chosen; in such case the said Justice or Supervisor are hereby Impowered, Required and Directed to give a Certificate to the master or Mistress of such Slave or Slaves, or to any such Native or Free Indian in the same form and manner as is herein before directed by this Act to be given to the Inhabitants of the said Counties, and such Master or Mistress, Native or free Indian shall be Intitled to and Receive the same Reward as is given by this Act to the Inhabitants of the said Counties; This Act to continue in force from and after the first day of January next until the first day of January which will be in the Year of Our Lord One thousand Seven Hundred and Seventy five and no longer

## [CHAPTER 1257.]

[Chapter 1257 of Van Schaack, where the act is printed in full. Continued by chapter 1255.]

An Act for the more equal Taxation of  
Estates in the City of Albany.

[Passed, October 20, 1764.]

WHEREAS the Taxing, rating, and Assessing, heretofore made by the Assessors in the City of Albany hath not been equal and in due proportion according to the Real and personal Estates which the Freeholders, and Inhabitants, Residents and sojourners of said City do possess and enjoy, for remedy whereof.

BE IT ENACTED by His Honour the Lieutenant Governor, the Council and the General Assembly, and it is hereby ENACTED by the Authority of the same, that the Supervisors for the City and County of Albany shall at their first annual Meeting after the Publication of this Act, Issue out their Warrants commanding the Assessors for the time being of the three different Wards of the said City to meet together and to Assess all the Estates real and personal of all the Freeholders, Inhabitants, Residents and Sojourners, within the said City which Assessors shall take the following Oath before the Mayor, Recorder or any one of the Aldermen of the said City.

"I A. B. do Swear upon the Holy Evangelists of Almighty God  
"that I will Well and truly, Equally, and Impartially, and in  
"due Proportion according to the best of my Skill and under-  
"standing assess all the Whole Estates, Real and Personal of all  
"the freeholders Inhabitants, Residents and Sojourners within  
"the City of Albany so help me God" Which Assessors shall  
do and perform what of them is Required to be done and per-  
formed by several Acts of this Colony and Subject to the same  
fines and Penalties, this Act to Continue, and be in force until  
the first day of January which will be in the year of our Lord  
One thousand, Seven Hundred and Sixty Six,

## [CHAPTER 1258.]

[Chapter 1258 of Van Schaeck, where the title only is printed. Chapter 1220 is repealed so far as it relates to Richmond county.]

An Act to Enable the Supervisors of Richmond County to Raise the Sum of One thousand and Seventy Eight Pounds Seven Shillings and five pence one farthing due from the said County on the Acts therein mentioned, and Other incidental Charges of said County.

[Passed October 20, 1764.]

WHEREAS the Supervisors of Richmond County through the Neglect or Mistake of the several Assessors in preparing Lists of Taxes on the first tuesday in June last to be levied in the said County did omitt to Raise the Sum of One thousand and Seventy Eight Pounds Seven Shillings and five pence One farthing due from the said County by Vertue of the five following Acts, VIZ One Act passed the first of April in the Year of Our Lord One thousand Seven Hundred and fifty Six, Entitled, an Act for Raising Paying and Subsisting One thousand Seven Hundred and fifteen Effective Men Officers included to be employed in conjunction with the Neighbouring Colonies on an Expedition for reducing the French Fort at Crown Point and carrying on an Offensive Warr against the Indians who infest the Western Frontiers of this Colony, and Other purposes therein mentioned for three Hundred and fifty two Pounds Six Shillings. One Other Act passed the twenty fourth of March in the year One thousand Seven Hundred and fifty Eight Entitled an Act for Raising Paying, and Cloathing two thousand Six Hundred and Eighty Effective Men Officers included for forming an Army of Twenty thousand Men with the forces of the Neighbouring Colonies to invade the French possessions in Canada in conjunction with a Body of his Majesty's Regular Troops, and Other purposes therein mentioned, for Two Hundred and Seventeen Pounds. One Other Act passed the Seventh of March in the Year One thousand Seven Hundred and fifty Nine entitled An Act for Raising a Supply of One Hundred Thousand Pounds for Levying Paying and Cloathing Two Thousand Six Hundred and Eighty Effective men Officers included for forming with the forces of the Neighbouring Colonies an Army of Twenty Thousand Men to

invade in Conjunction with a Body of His Majesty's Regular Troops the French possessions in Canada, for emitting Bills of Credit for the like Sum, and for Sinking and cancelling the said Bills in Short Periods for two Hundred and Ninety Eight Pounds four Shillings and five pence. One Other Act passed the twenty Second of March One thousand Seven Hundred and Sixty Entitled an Act for Levying Paying and Cloathing Two Thousand Six Hundred and Eighty Effective Men Officers included for forming an Army of Twenty thousand Men with the Forces of the Neighbouring Colonies to Reduce in Conjunction with his Majesty's Regular Troops, Montreal and Other Posts belonging to the French in Canada, for Emitting Bills of Credit for the Sum of sixty thousand Pounds, and for Sinking and Cancelling the said Bills in Short periods for the Sum of Two Hundred and three Pounds, and one Other Act passed the Eleventh of December One thousand Seven Hundred and Sixty two, Entitled an Act for Raising and Collecting several Arrears of Taxes laid by the Several Acts therein mentioned, for Seven Pounds Seventeen Shillings and one farthing, Amounting in the whole to the Sum of One thousand and Seventy Eight Pounds Seven Shillings and five pence one farthing as aforesaid.

BE IT ENACTED by His Honour the Lieutenant Governor the Council and the General Assembly, and It is hereby Enacted by the Authority of the same that the Justices of the Peace for the said County, or any two of them shall issue their Warrants to the Constable of each respective Precinct and Manor of said County to warn the Freeholders and inhabitants within their respective districts to meet and Assemble at their respective usual places for choosing their annual Town Officers on the second Tuesday after the Publication of this Act then and there to choose by plurality of Voices one of the Inhabitants being a Freeholder to be one of the Assessors for raising the aforesaid Sum of One thousand and Seventy Eight Pounds Seven Shillings and five pence one farthing, which remains unpaid, and due from the said County on Account of the several Acts before mentioned, which Assessors so Elected and Chosen as aforesaid shall meet at Richmond Town on the next day after their said Election, and then and there take an Oath or if Quakers an Affirmation before any one of His Majesty's Justices of the Peace for the said County to the following Effect. That they shall and will well, truly, Equally and Impartially according to the best of

their knowledge Skill and Judgement, Assess the whole Real and Personal Estates of all the Freeholders and Inhabitants of the County of Richmond, and of all such as have Estates there, and do not reside therein.

AND BE IT ENACTED by the Authority aforesaid that the Assessors so Chosen and Qualified shall as soon as they conveniently can after such Qualification make an Assessment in the following Manner, They shall proceed all together from House to House throughout the said County untill they have gone through the whole and shall make out a true and Exact List of all the names of the Freeholders and inhabitants of the said County, and of such as have Estates therein and do not reside there, and against the name of every such person shall set down the Value of all his or her whole Estate Real and personal as high as they can discover the same setting down for every Hundred Pounds Real Value four pounds, and in that proportion for a greater or less Sum, and if any dispute shall arise amongst the aforesaid Assessors about the Value of any Estates the same shall be determined by the Majority of the Assessors then present, and if they shall happen to be Equally divided in their Opinions, the same shall be left undetermined by them, and Settled by the Supervisors at their meeting on the fourth Tuesday then next following after the Publication of this Act, which Lists they the said Assessors shall deliver unto the Supervisors of the said County on or before the fourth tuesday after the Publication of this Act as aforesaid with Blanks for the Sums to be filled by the Supervisors of such Estates as are undetermined as aforesaid the Value of which Estates shall be determined by the Majority of the Supervisors then present, and if they shall happen to be divided in their Opinions so that no Majority appears they the Supervisors shall call to their Assistance one of the Judges of the Court of Common Pleas for said County for the time being whose Judgment agreeing with either side shall determine in that case: from the Sum total of which assessment so Brought in and delivered to the Supervisors and by them settled as aforesaid, they the said Supervisors shall exactly compute what each Pound of the said Sum total is or Ought to be charged with of the Sum or Sums appointed by this Act, to be raised on the said County which having found, they shall then add in every of the said Lists over against each person's name and the Sum at which his or her Estate is Assessed the particular Sum which his or



her Estate is rated at or charged with of what is then to be raised on the said County, adding thereto at what rate per pound the Computation is made, which being done the said Supervisors shall transmitt the said Lists so Completed unto the Collectors of the respective Towns, Manors, and Precincts for which they are respectively Collectors with Warrants under their hands and Seals thereto annexed, Commanding the said Collectors respectively to Collect of and from all and every the person and persons contained in the said Lists, their Executors or Administrators, the several and respective Sums at which their respective Estates are thereby rated, with Power to distrain for the same in case any person or persons shall refuse or Neglect to pay what his Or their Estates are so rated at, and directing the said Collectors to pay all the Sum or Sums of Money so to be raised assessed Levied and Collected unto the Treasurer of the said County on or before the first Tuesday of December then next following and the said County Treasurer is hereby Ordered and Required to pay the same unto the Treasurer of this Colony on or before the fourth day of January then next following, by him to be applied in the same manner and for the same purpose as in and by the aforesaid Acts he is directed.

AND BE IT ENACTED by the Authority aforesaid that if any person or persons shall conceal any part of his her or their Real or personal Estate from the Assessors, and shall be thereof convicted by the Oath of any two Credible Witnesses before any one of His Majesty's Justices of the Peace for the said County they shall respectively forfeit and pay the Sum of Five Pounds Current Money of this Colony to be recovered and sued for by the Supervisors or any two of them with full Costs of Suit and to be by the said Supervisors applied towards defraying the Contingent Publick Charges of the said County as they shall think proper.

AND BE IT ENACTED by the Authority aforesaid, that if any Assessor or Assessors, Chosen and Elected by Vertue of this Act shall either refuse to take the charge upon him or them, or having Accepted the same shall Neglect his or their Duty therein each so refusing, or Neglecting shall respectively forfeit the Sum of Five Pounds to be recovered by the Supervisors of the said County or any two of them with full Costs of Suit before any one of His Majesty's Justices of the Peace for said County; and if any of the aforesaid Collectors shall Refuse or Neglect to do his

or their Duty therein, each Collector so refusing or Neglecting shall Respectively forfeit the Sum of Fifty Pounds to be recovered by the aforesaid Supervisors or any two of them with full Costs of Suit in any Court of Record within this Colony all which fines and forfeitures to be by the Supervisors applied towards Defraying the Contingent Charges of said County as they shall think proper; and the said Assessment Lists made by such as shall and do Assent of the same and do their Duty therein shall be as good and Effectual as if all the assessors Chosen, Elected and Qualified as aforesaid had joined therein.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if there be any Landed Estates lying within the said County whereon no person or persons are resident, and no Moveable Effects thereon whereof Distress can be made, then it shall be Lawfull for the Collector or Collectors of the Precinct or Manor wherein such Landed Estates do so lie, and they are hereby Authorized and impowered to Enter on such Lands, and cut and carry off so much of the Timber or Grass growing or being thereon, as will be sufficient to pay what the Estate or Estates is Rated at, with all Costs and Charges arising thereon, any Law, Usage or Custom to the Contrary notwithstanding.

AND BE IT ENACTED by the Authority aforesaid, that it shall and may be Lawfull for the Supervisors aforesaid or the Major part of them, and they are hereby required and directed at their aforesaid Meeting to make such allowance to the Assessors for their pains and trouble in making the Assessments as they shall think reasonable and shall also cause all the Necessary and Contingent charges of said County due at that time to be raised Levied and collected in the same manner as the before mentioned Sum of Money is hereby directed to be raised assessed Levied and Collected, and pay the same unto the Treasurer of the said County on or before the fourth Tuesday of January next following to be by him applied as he shall be directed by the Supervisors aforesaid or the major part of them at their meeting as aforesaid.

AND BE IT ENACTED by the Authority aforesaid that the Act Entitled an Act for the better Regulating the Taxation of Estates in the Counties of Richmond and Suffolk as far as it relates to Richmond passed in the fourth Year of his present Majesty's Reign shall be immediately after the Commencement of this Act repealed, and every Clause Article and thing therein

contained is hereby made Nul and Void to all intents constructions and purposes whatsoever.

[CHAPTER 1259.]

[Chapter 1259 of Van Schaack, where the act is printed in full. See chapter 1104. Expired January 2, 1770. Revived by chapter 1445.]

An Act further to continue An Act Entitled An Act to Enable the Mayor, Deputy Mayor, Recorder and Aldermen of the City of New York for the time being, or the Major part of them to Raise a Tax for mending, and keeping in Repair the Publick Wells and Pumps in the said City, to the South of Fresh Water, and Other purposes therein mentioned with an Addition thereto.

[Passed, October 20, 1764.]

WHEREAS An Act Entitled, "An Act to Enable the Mayor Deputy Mayor, Recorder and Aldermen of the City of New York for the time being, or the Major part of them, to Raise a Tax for mending and keeping in Repair the Publick Wells and Pumps in the said City to the South of Fresh Water, and Other purposes therein Mentioned," passed in the twenty Seventh year of the Reign of His late Majesty King George the second hath been continued to and will Expire on the first day of January next, and the same having been found usefull and Necessary.

BE IT THEREFORE ENACTED by His Honour the Lieutenant Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same that the before mentioned Act Entitled, "An Act to Enable the Mayor, Deputy Mayor, Recorder and Aldermen of the City of New York, for the time being or the Major part of them to raise a Tax for mending and keeping in Repair the Publick Wells and pumps in the said City to the south of fresh Water and Other purposes therein mentioned," shall be and hereby is further continued and shall remain of full force and Vertue to all Intents and purposes whatsoever until the first day of January which will be in the Year of Our Lord One Thousand Seven Hundred and Seventy.

AND WHEREAS the said Mayor, Deputy-Mayor, Recorder and Aldermen, are by the said Act Enabled for mending and keeping in repair the Publick Wells and Pumps in the said City, to Raise annually a Sum not exceeding One Hundred and Twenty

Pounds: which Sum having been found insufficient for Answering the good ends and purposes intended thereby.

BE IT THEREFORE FURTHER ENACTED by the Authority aforesaid, That it shall and may be Lawfull to and for the said Mayor, Deputy Mayor, Recorder and Aldermen, in manner as directed by the said Act to Raise annually a Sum not exceeding the Sum of Two Hundred Pounds, for the uses and purposes directed in and by the said Act; any thing in the said Act to the contrary hereof notwithstanding.

[CHAPTER 1260.]

[Chapter 1260 of Van Schaack, where the title only is printed.]

An Act to Raise, Levy and Collect a Sum not exceeding twenty One Pounds, Ten Shillings, on the Estates Real and personal of all the Freeholders and Inhabitants at the South side of the Highlands in the County of Orange to be applied for the uses therein mentioned.

[Passed, October 20, 1764.]

WHEREAS a Considerable Number of Men by Vertue of an Order from His Honour the Lieutenant Governor in the Month of November last were marched to the Western frontiers of the Counties of Orange and Ulster in Order to Defend the Inhabitants thereof against the Incursions of the Enemy Indians and that the said Men during their continuance there were Billeted upon the Poor Inhabitants thereof.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that as soon as convenient after the Publication hereof, it shall and may be Lawfull for the Supervisors of the County of Orange to Raise a Sum not exceeding twenty One Pounds ten Shillings which said Sum shall be raised, Assessed, Levied and Collected by a Tax on the Estates Real and personal of all the Freeholders and Inhabitants at the South side of the Highlands in the County of Orange in the same Manner as the Other contingent Charges of the said County are Raised, and to be paid into the hands of the County Treasurer, who is hereby directed and Required to pay the said Sum or Sums of Money into the hands of Colonel Benjamin Totten, who is hereby directed and Required to pay the said Money

to such person or persons with whom the said Tusten has Agreed and promised to pay the said Money to for Victualling the Men as abovesaid.

[CHAPTER 1261.]

[Chapter 1261 of Van Schaack, where the title only is printed.]

An Act to Impower and Enable the Mayor Recorder and Aldermen of the City of New York to Order the Raising a Sum not exceeding Fourteen Hundred Pounds for the purposes therein Mentioned.

[Passed, October 20, 1764.]

IN AS MUCH as the Lighting of Lamps, and providing a Sufficient Number of Watchmen within the City of New York, is not only convenient, but also necessary for the safety of it's Inhabitants.

BE IT THEREFORE ENACTED by His Honour the Lieutenant Governor the Council and the General Assembly, and it is hereby ENACTED by the Authority of the same, That the Mayor Recorder and Aldermen of the City of New York for the time being, or the Major part of them, whereof the Mayor or Recorder to be one, shall have full power and Authority, and are hereby fully impowered and Authorized on the Second Tuesday in January next to order the raising a Sum not exceeding Fourteen Hundred Pounds by a Tax upon the Estates Real and personal of all and every the Freeholders, Freemen, Inhabitants, Residents, and Sojourners within the City of New York, to the South of Fresh Water for the Payment of so many Watchmen as the Mayor Aldermen and Commonalty of the City of New York shall think Necessary for Guarding the City, and for purchasing of Oyl, and attending the Lamps which now are or hereafter may be Erected, and add the said Sum of Fourteen Hundred Pounds to the Sum which shall be Raised for the Minister and poor of the said City, which Tax so to be laid shall be rated and Assessed at the same time and by the Vestrymen who shall Rate and Assess the Tax for the Minister and Poor of the said City, and shall be rated together in one Assessment made of the whole the Vestrymen first taking the Oath prescribed to be taken in and by an Act Entitled "An Act to Enable the Inhabitants of the City of New York to choose two Vestrymen for each respective ward within the said City" made and passed in the Nineteenth Year of the



Reign of His late Majesty King George the Second; and the Tax so to be made, shall be collected Levied and Paid, at the same time as the Tax for the Maintenance of the Minister and Poor of the said City hath been Accustomed, into the hands of the Church wardens of the said City for the time being, who are hereby Required and directed to pay the same into the hands of the Chamberlain of the said City, to be by him paid as he shall be directed, by Warrant, or Warrants of the said Mayor Aldermen and Commonalty in Common Council Convened, for the uses aforesaid.

AND BE IT ENACTED by the Authority aforesaid that over and above the Sum of fourteen Hundred Pounds to be Levied and Paid by Vertue of this Act the Sum of three pence in the Pound, as a Reward to the Constables for their extraordinary trouble, shall be Assessed Levied and paid to the Respective Constables for Collecting and paying the same and no more, according to the true intent and meaning of this Act; any thing herein or in any Other Act or Acts contained to the contrary thereof in any wise Notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that if the said Mayor Recorder or Aldermen, the Church Wardens, Vestrymen or Constables of the said City of New York, who are hereby Authorized, impowered, and Required to take effectual care that this Act be executed according to the true intent and Meaning thereof, or any of them shall Deny, Refuse or delay, to perform, Execute or comply with all or any of the Powers, Authorities and Duties in this Act given, and Required to be done and performed by them, or either of them, and thereof shall be Lawfully convicted in any Court of record, within this Colony, he or they so denying, Refusing or delaying to perform the duty's as aforesaid, shall Suffer such pains and penalties, by fine and imprisonment, as by the discretion of the Justices of said Court shall be Adjudged, to be sued for and recovered by the person or persons aggrieved thereby, or by any Other person or persons who shall Sue for and prosecute the same to Effect.

AND BE IT FURTHER ENACTED by the said Authority, that if any person or persons shall break or Willfully damage any of the Lamps now Erected or to be erected within this City, he, she or they, so Offending shall forfeit the Sum of Twenty Pounds, for every such Offence, to be Levied by Warrant or War-

ants under the hands and Seals of two or more of his Majesty's Justices of the Peace for the City and County of New York by distress and Sale of the Offenders Goods on due conviction, upon the Oath of one or more Credible Witness or Witnesses, rendering the overplus, if any there be, to the owner or Owners, and for want of such distress the Offender or Offenders shall be imprisoned by Warrant under the hands and Seals of said Justices who are hereby required to Issue the same, for the Space of three months unless the said forfeiture be sooner paid, to be applied to and for the use and maintainance of the Lamps, and paying the said Watchmen

AND BE IT HEREBY FURTHER ENACTED that all such persons as shall be employed to Guard the said City, and attend the Lamps, shall be under the direction of, and Obey such Orders, as they shall from time to time receive from the said Mayor, Aldermen and Commonalty, any Custom Law or Usage to the Contrary hereof in any wise notwithstanding.

[CHAPTER 1262.]

[Chapter 1262 of Van Schaack, where the act is printed in full. See Chapter 887.]

An Act to Regulate the Publick Pounds  
in the City and County of New York.

[Passed, October 20, 1764.]

WHEREAS In and by the Act Entitled An Act for Regulating Fences for the Several Cities and Counties within this Colony of New York passed in the Twenty fourth year of the Reign of his late Majesty King George the Second power is given for Erecting of POUNDS in each Town, Manor, and Precinct for securing unruly Cattle and Creatures, till such time as Satisfaction be made or Secured to be made to the person or persons aggrieved but no fees are therein fixed or Established to be taken by the keeper of such Pounds for his trouble in attending the same, for which reason the Pounds in the City and County of New York, have not been under such proper Regulations as they ought, for Remedy whereof, and that the same may be under proper Regulations for the future.

BE IT ENACTED by His Honour the Lieutenant Governor, the Council and the General Assembly and it is hereby Enacted by the Authority of the same, that it shall and may be lawfull to and for the Mayor, Aldermen, and Commonalty of the City of

New York for the time being in common council convened from time to time to appoint keepers of the Publick Pounds, that now are or shall be made and Erected in the City and County of New York in Vertue of the above Recited Act, which respective keepers of every of the said Pounds shall have Receive and take for Creatures and Cattle that shall be put into Such Pound of which he is the Keeper the following Fees, to witt, for taking in and discharging every Horse or Horsekind and neat Cattle the Sum of One Shilling; for every Sheep or Lamb the Sum of three Pence. And for every Hog the Sum of Sixpence, which Fees shall be paid to the said keeper by the Owner or Owners of the said Creatures or Cattle or some person for him her or them, and the same shall be paid before the said Creatures or Cattle shall be Released or discharged out of such Pound unless the said keeper shall Otherwise Agree concerning the same.

AND BE IT FURTHER ENACTED by the Authority aforesaid that it shall and may be Lawfull to and for the said Mayor, Aldermen, and Commonalty of the City of New York in Common Council convened to Remove and displace every such keeper of a Pound from his place of POUND keeper whenever they shall judge it fit, and another to appoint in his stead.

#### [CHAPTER 1263.]

[Chapter 1263 of Van Schaick, where the title only is printed. Expired January 1, 1766. Provided for by chapter 1289.]

#### An Act for the more Equal Taxation of Estates in the County of Orange.

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[Passed October 20 1764]

FOR AS MUCH as the Method heretofore practised for the Taxation of Estates in the County of Orange hath not been done in that due Equal and just proportion as it is conceived it ought be and as Justice and Equity Demand that all the freesholders and Inhabitants thereof should be rated and Taxed in due proportion to the Estates they enjoy

BE IT THEREFORE ENACTED by His Honour the Lieutenant Governor, the Council and the General Assembly, and it is hereby Enacted by the Authority of the same that from and after the first day of March next it shall and may be Lawfull for the Freesholders and Inhabitants of each of the respective Towns and Precincts within the said County to choose and Elect at their

annual Meeting a Person, being a Freeholder Inhabiting within the said Town or Precinct for one of the Assessors of the County, which Assessor so chosen in each of the Towns or Precincts as aforesaid shall meet on the Second Tuesday of April next at Orange Town, in said County, and before they enter on the Duties of their Office shall take an Oath before any one of His Majesty's Justices of the Peace for said County to the following Effect, to witt, That they shall and will well, truly, Equally, and Impartially according to the best of their Skill knowledge and Judgment assess the Real Estates according to the Value by improvements thereon) and personal Estates of all the Freeholders and Inhabitants of the said County as nearly as they can discover the same to be within the Same County.

AND BE IT ENACTED by the Authority aforesaid that the said Assessors so chosen and Qualified shall as soon as they conveniently can after such Qualification make an assessment in the manner following, to witt, they shall proceed all together from House to House throughout the said County 'till they have gone through the whole, and shall make out a true and Exact List of all the Names of the Freeholders and Inhabitants of the said County, and against the names of every such person shall set down the Value of all his or her Estate Real (according to the Value by improvements thereon) and personal as nigh as they can discover the same to be within the same County Setting down for every Hundred Pounds Real Value Stated as aforesaid four Pounds, and in that proportion for a Greater or lesser Sum, which List or Lists the said Assessors shall deliver to the Supervisors of the said County on or before the first Tuesday of June then next ensuing.

AND BE IT FURTHER ENACTED by the same Authority that the said Supervisors shall make the Quota of each respective person or persons according to the Total Sum of the List or Lists returned as aforesaid and not Otherwise, and that the Clerk of the Supervisors shall Transcribe the List or Lists, and add to each persons Rate the Sum or proportion each person is to pay of what the Supervisors find the said County Chargeable with, and when the said List or Lists are completed, the said Supervisors or the Greater Number of them are hereby required to Issue their Warrants commanding the Collector or Collectors of each Town or Precinct to collect and pay the same as by the Warrant shall be directed.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any Assessor or Assessors Collector or Collectors Chosen and Elected at the annual Town meetings for Choosing of Officers shall either refuse to take the charge upon him or them, or if having Accepted the same shall neglect his or their Duty therein Required, each so refusing or Neglecting shall respectively forfeit the Sum of Five Pounds Current Money of this Colony to be Recovered by the Supervisors of the said County or any one of them with full Costs of Suits before any one of His Majesty's Justices of the Peace for said County to be by them applied towards the defraying the Contingent Charges of said County.

AND BE IT ENACTED by the Authority aforesaid that the said Assessors as a REWARD for their Labour shall receive four Shillings and Sixpence per day, and the same to be Raised Levied and Paid in the same Manner as the Other Contingent Charges of the said County are.

AND BE IT ENACTED by the same Authority that this Act shall be in force till the first day of January One thousand Seven Hundred and Sixty Six and no longer.

#### [CHAPTER 1264.]

[Chapter 1264 of Van Schaack, where the title only is printed. Expired January 1, 1779.]

An Act Appointing Storm Beckers, Martinus Van Alstyne and Samuel Ferris Commissioners for laying out Highways within the Limits therein mentioned in the County of Albany.

[Passed, October 30, 1764.]

BE IT ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly, and it is hereby enacted by the Authority of the same that Storm Beckers, Martinus Van Alstyne and Samuel Ferris or the Majority of them shall be and hereby are empowered and Commissioned to lay out one Highway through and from Batavia in the County of Albany to the most convenient Landing for the Inhabitants of Batavia aforesaid to Hudson's River and to continue the said Highway or Road to Delaware River and the Commissioners aforesaid or the Majority of them shall be and are hereby also empowered and Commissioned to lay out so many Highways leading into the



aforesaid Highway or Road from the distance of Ten Miles on each side of the said Highway as they shall find Necessary and Convenient from Delaware River to within Ten Miles of Hudson's River, from whence to Hudson's River their power is hereby Limited to the laying out one Convenient Highway only.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the above named Commissioners within the Limits above prescribed them shall be invested with the same Powers and be under the same Regulations and restrictions which the Commissioners in Albany County for laying out Highways within their respective Places, are invested with, and in case of the Death, Removal or Refusal to Act of Any one or more of them, another or Others shall be appointed in his or their Room in the same Manner as is usually done in like cases in the County of Albany aforesaid, which Other or Others so appointed shall have all the power or powers given by this Act to the Commissioners hereby named, and shall be under the same Regulations and Restrictions, This Act to be in force from the time of it's Publication, until the first day of January One Thousand Seven Hundred and Seventy.

[CHAPTER 1265.]

[Chapter 1265 of Van Schnack, where the title only is printed.]

An Act to Enable the Supervisors of Dutchess County to raise a Sum not exceeding Two Hundred Pounds for finishing the Jail of the said County.

[Passed, October 20, 1764.]

WHEREAS by an Act passed in the thirty third Year of his late Majesty's Reign the Sum of Seventy Pounds was required and directed to be raised by the Supervisors of Dutchess County towards defraying the Expences of converting a Jury Room into a Jail, and the said Sum is found to be greatly deficient for that purpose.

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor, the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that the Supervisors of the County of Dutchess shall be and are hereby Permitted to raise a Sum not exceeding the Sum of Two Hundred Pounds for completing the Jail aforesaid which Sum shall be Collected by the Collectors in like manner as the Other County

Charges are; and paid to the Treasurer of the County, and shall be paid by him to the Sheriff of the said County for the time being who shall lay out what shall be found Necessary for the purpose aforesaid, and Account for the same on Oath to the said Supervisors, and if there should be any overplus in his hands after the Supervisors have Audited his Accounts he shall return the same to the said Treasurer for the use of the County, and on his refusal so to do the Treasurer is hereby empowered to sue for the same.

[CHAPTER 1266.]

[Chapter 1266 of Van Schnack, where the title only is printed. Continued by chapter 1294. Expired January 1, 1769.]

An Act to Raise a Fund for Defraying  
Damages done by Dogs in the County of  
Richmond.

[Passed, October 29, 1766.]

WHEREAS Many of the Inhabitants within the County of Richmond in the Colony of New York have sustained great Losses occasioned by Dogs killing their Sheep without being able to Obtain Redress; which hath Often times fallen heavy upon individuals for Remedy whereof.

BE IT ENACTED BY his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same that it shall and may be Lawfull for the Collectors chosen in each respective Precinct and Manor within the said County once in every Year after the first day of January next during the Continuance of this Act and not otherwise to demand and Receive of and from all persons having the property in or keeping any Dog of what Size or kind soever of three Months Old and Upwards the Sum of One Shilling for each Dog, and if there should be more than one Dog kept by any one person or Family, then the Sum of three Shillings for the Second Dog and the Sum of Six Shillings for every Dog above the Number of two kept as aforesaid.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any person or persons having property in or keeping any Dog of what Size or kind soever as aforesaid shall Neglect or refuse to pay unto the Collector or Collectors of their respective Precincts or Manor the Sum or Sums as above fixed Ten days after the same is demanded; it shall and may be Lawfull, for the Collector or Collectors of each respective Precinct or Manor to

Commence and prosecute his or their Action or Actions against any Delinquent or Delinquents for the Recovery of the same with Costs of Suit before any One Justice of the Peace for the said County, and if any person or persons shall Deny that he she or they have property in or keep any Dog, yet if it can be proved that such person or persons are in possession of or suffer the same to remain about his House thirty days before the demand made by the Collector, he she or they shall be deemed to be the Owner or Owners of such Dog, and liable to the Payment of the aforesaid Tax; to be recovered as above; And if any Dog or Dogs shall keep about any person's House twenty days, and no person appearing within that time to Claim such Dog, it shall and may be Lawfull for such person having such Dog or Dogs about his House as aforesaid to kill him or them at any time after the said Twenty days.

AND BE IT FURTHER ENACTED by the Authority aforesaid that when any person or persons within the said County shall have Sustained Damages by Dogs, of any kind or Size as aforesaid killing his her or their Sheep, it shall and may be Lawfull for him her or them to call in two Adjacent freeholders of Credit who are hereby impowered to View the sheep so killed or hurt and if they shall appear upon positive or Circumstantial Proof to their Satisfaction that they were killed by Dogs only; then the said Freeholders shall Certifye the same with the true and Real Value of the Sheep or damage Sustained and the Number killed or hurt, under their hands, which Certificate shall be a Sufficient Voucher to the Collector or Collectors for paying the Value of the Sheep or Damages therein expressed.

AND BE IT ENACTED by the Authority aforesaid that whenever Sheep within the said County shall hereafter be killed or hurt by any Dog, and it can be proved whose Dog it was that did the Mischief, if the Owner or possessor of such Dog shall Neglect or refuse to kill the same or make Satisfaction to the Person or Persons injured, after Demand made, it shall and may be Lawfull for the person or persons so injured to get the Value of the Sheep or the Damages certified by two Credible Freeholders as aforesaid, and commence his her or their Action or Actions against the owner or possessor of such Dog, before any one Justice of the Peace of said County if under five Pounds and if above Five Pounds, in any Court of Record within the said County and recover the same with Costs of Suit.

AND BE IT FURTHER ENACTED, that if any person or persons shall find any Dog killing or Worrying his or her or their Sheep, It shall and may be Lawfull for them Immediately to Shoot or kill the same on their own premises; and If it can be proved by any one or more Credible Witnesses that such Dog was ever before known to have killed Sheep, and the same came to the knowledge of the Owner or possessor thereof then and in such Case, it shall and may be Lawfull for the person or persons injured to get the Value of the said Sheep or Damages certified as above and commence his or their Action for the Recovery thereof, as aforesaid.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Collector or Collectors of each respective Precinct within the said County shall keep a Book and therein enter the names of every person in his or their Several Precincts or Manor keeping Dogs, and the Number with the Tax or Sums collected by Vertue of this Act, and shall also take Receipts on the Back of the Certificates for the Monies paid on the same, which Books and Certificates shall be laid before the Supervisors at their annual Meeting on the first Tuesday in October, and if there shall appear to be a Ballance or Overplus money in the hands of the Collector the same shall be applied by the Supervisors as they shall think proper.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Collector or Collectors of each respective Precinct or Manor within the said County shall retain and keep in his or their hands One Shilling in the Pound for all Sums by him or them Collected and paid in pursuance of this Act.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that if either of the Collectors of any of the Precincts or Manor within the said County shall refuse or Neglect to Collect the Taxes aforesaid, and do what is enjoined them by this Act, he or they so Offending shall forfeit and pay the Sum of Five Pounds to be Recovered by Action of Debt before any Magistrate of the said County with Costs of Suit, by any person or persons who will prosecute the same to Effect; One half to the prosecutor, and the Other half, to be applied to the uses aforesaid; this Act to be in full force from the first day of January next until the first day of January which will be in the Year one Thousand Seven Hundred and Sixty Six.

AND BE IT ENACTED by the Authority aforesaid, that the Act Entitled "An Act to prevent the Destruction of Sheep by Dogs" passed in the Eighteenth Year of the Reign of his late Majesty King George the Second as far as it Relates to Richmond County during the Continuance of this Act shall be Repealed and is hereby made Null and Void to all intents Constructions and purposes whatsoever.

[CHAPTER 1267.]

[Chapter 1267 of Van Schaack, where the act is printed in full. Continued by chapter 1342.]

An Act for the better Laying out, Regulating and Keeping in Repair, Common and Publick Highways in Richmond County.

[Passed, October 20, 1764.]

WHEREAS Nothing Contributes more to the Ease and Advantage of the Inhabitants, than the well Regulating, Laying out and keeping in proper Repair Public Highways

BE IT ENACTED by His Honour the Lieutenant Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that from and after the first day of March next the Freeholders and Inhabitants of the County of Richmond, shall be and hereby are Authorized at their Annual Town Meetings for Electing Town Officers to Choose and Elect at the same time two Freeholders in each Precinct or Division to be Commissioners for the laying out and Regulating Highways, and also so many persons to be Surveyors and Overseers of the Highways as the Major part of the Freeholders and Inhabitants of each Precinct and Division then Assembled shall Judge Necessary for the Overseeing, Mending, Repairing and keeping in Order the Several Highways in the Respective Precincts and Divisions for which they shall be Elected and Chosen in manner as aforesaid and the Freeholders and Inhabitants Assembled as aforesaid Shall then alot to each of the overseers the part of the Roads they shall respectively have the Charge of and keep in Repair as aforesaid and the person or persons so Chosen and Elected as well those who are to Regulate and Lay out Highways, as those who are to be overseers and Surveyors thereof are hereby required to take the several Offices upon them.

AND BE IT ENACTED by the Authority aforesaid that the Commissioners Chosen in each Precinct or Manor as aforesaid



joined with one Other Commissioner out of each of the Other respective Precincts of said County are hereby impowered and Authorized to Regulate the Roads already laid out, and to lay out in the Several Precincts in said County such Other Roads as to them or the Major part of them shall Seem Necessary and Convenient, and if need be to take a Review of the Roads already laid out, and if any of them shall really appear inconvenient may alter the same, and lay out such Other Public Highways or Roads as they or the Major part of them shall think most Convenient as well for Travellers as for the Inhabitants of every respective Town, and the next adjacent Towns, Villages, and Neighbourhoods Provided there be a Petition preferred to the said Commissioners Signed by at least twelve Freeholders of the Precinct or Division requiring the same to be laid out or altered as aforesaid PROVIDED ALSO that Nothing in this Act shall Extend or be construed to impower the Commissioners aforesaid to lay out any Road through any persons Land or Meadows without the Consent of the Owner or Owners thereof or paying to him or them the true Value of the Lands or Meadows so laid out into an Highway or Road and if any Dispute shall arise by that Means the same shall be determined, and the true Value Set and appraised by two Justices of the Peace of the said County, and by the Oaths of twelve Principal Freeholders of the Neighbourhood not having any Interest in the Land about which such Dispute may arise; the said Freeholders to be Summoned by the High Sheriff of the said County by Virtue of a Warrant to be Issued by the said Two Justices for that Purpose: And if any Road within the said County so laid out or Altered as aforesaid, be a Common Public Highway, and the same be laid out at the Request of twelve Principal Freeholders as aforesaid then the whole Charge of the Value of the LANDS together with the Charge of the Commissioners, and Calling and Charge of the Jury, and the Whole proceeding thereon had, shall be Raised Levied and Paid in like manner as the Other Contingent Charges of the County: and the Highway So laid out shall be a Common Public Highway, but if the Road so laid out, be for the Private use and Benefit of any person or persons, then the Charges aforesaid shall be paid by the person or persons who desire the same to be laid out, and said Road to be for the only proper use of such person or persons and to their Heirs and Assigns who pay for the same, ALWAYS PROVIDED that the person through whose

Land the said Road shall be so laid out his Heirs or Assigns Shall not be Debarred from Crossing or using said Road.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any person or persons within the said County do or hereafter shall alter Stop up or lessen any Highway or Road that has been heretofore laid out by former Commissioners according to Law, or shall hereafter be laid out by Commissioners Elected and Chosen by Virtue of this Act without the Consent of the Commissioners shall for every such Offence forfeit the Sum of Forty Shillings to be recovered before any Justice of the Peace upon the Oath of any one Credible Witness and Levied by Warrant from any Justice of the Peace directed to the Constable of the Town or place where such Offence is Committed by Distraining the Goods and Chattles of the Offender; and the said Constable after Six days Public Notice is given by him, of the Seizing the said Distress shall make Sale thereof, and out of the produce pay the said Forfeiture and Charges and return the Overplus (if any there be) to the Owner or Owners; when said forfeiture of forty Shillings shall be applied by the Surveyors of the Highways for and towards Repairing the Public Roads or Highways within the Town or Precinct where such forfeiture shall Arise.

AND BE IT FURTHER ENACTED by the authority aforesaid that all Common Public Roads or Highways which shall be hereafter laid out by the aforesaid Commissioners shall not Exceed four Rods in Breadth nor be less than two, and where any private Road for any person or persons particular use or Benefit as aforesaid shall be laid out through any person's Land or Meadow it shall not be less nor Exceed the Breadth of Twenty Foot.

AND BE IT FURTHER ENACTED by the same Authority that the Inhabitants of the Towns Manors and Precincts by and through whose Lands any Common Public Roads or Highways have or shall Run or be hereafter ascertained or laid out, are hereby Obligated to Clear and Maintain the same by Cutting and Stubbing the Brush up, pulling up the Stones that can be carried off, the Breadth of one Rod; and the Limbs of the Trees hanging over the said Road, to be Lopt and Carried off, and so often as they or any of them shall have Notice from the respective Surveyors or Overseers of the Highways for the time being, shall by themselves or Servants Clear, Level, and Amend the High-

ways not Exceeding Six days in the year, under the Penalty of four Shillings for each day every person shall Neglect or Refuse such Service; to be Levied by the Constable in each Town Precinct or Division by Distress and Sale of the Offenders Goods and Chattles by Warrant from any one of the Surveyors or Overseers of the Highways for the time being returning the overplus of such Sale to the Owner or Owners (if any there be) the Constable to be first paid for his pains and Trouble out of the Distress as is common in Other Cases; and the said forfeiture of Four Shillings shall be applied for the Repairing the Public Roads or Highways within the Town or Precinct where such forfeiture shall Arise

AND BE IT ENACTED by the Authority aforesaid that all Trees that Stand in any persons Land, through which any Common Public Road, or Highway is or shall be laid out, be for the Proper use of the Owner or Owners of the same, but the Owner shall not hinder the Public of making use of so much Timber which is Standing or laying on that Road as will amend and Repair the Highway or Roads running through that Land.

AND BE IT ALSO ENACTED by the same Authority that where any Highway from any Town or Plantation to any Meadows, Mills, or Common Landing places shall run through any person or persons Land or Meadow it shall and may be Lawfull for any such person or persons by the approbation of the Commissioners as aforesaid of each Town, Precinct or Division to place and Hang Good easy swinging Gates on such Highways and keep them in good Repair at their own proper Costs, and the several Gates already Standing and allowed may or shall be approved and Continued or Altered as the Commissioners shall Judge most Convenient.

AND BE IT FURTHER ENACTED by the same Authority that if the overseers of the Roads and Highways shall think fit and have Occasion of any Team, Cart, or Waggon and a man to Manage the same, the said Team Cart or Waggon shall be Esteemed to be for and in Lien and Stead of three days work of a Single man, and the fine to be proportionable, that is to say twelve Shillings to the fine to be imposed for the Neglect of a Single person, and every Working Man shall be Obligated to bring such Materials as Spades, Axes, Crows, Pick axes and Other Utensils as shall be directed by the Surveyors or Overseers of the Highways.

AND BE IT FURTHER ENACTED by the same Authority that the Commissioners or the Majority as aforesaid shall from time to time enter in Writing all the Highways or Roads by them laid out Altered or Stopped up and Sign the same, by putting their names thereto and cause the same to be Entered in their Books or in the County Record, and the Several Clerks are hereby Directed and required to Enter the same; and whatsoever the said Commissioners shall do according to the Powers given them in this Act being so Entered in the Town Books or in the County Records shall be Valid and Good to all intents and purposes whatsoever.

AND BE IT FURTHER ENACTED by the Authority aforesaid that each Commissioner shall have take and Receive a Sum not Exceeding Six Shillings for every day he shall be employed in laying out and Regulating Highways aforesaid as a Reward for his care and trouble in doing the Business required by this Act; and they shall transmit their Accounts to the Supervisors of the said County at their annual Meetings of the time he or they have spent in Laying out and regulating Highways: And the Supervisors shall Raise the same with the County Tax, which shall be paid by the County Treasurer to the Commissioners upon a Warrant from the Supervisors as in Other Cases, except where the Commissioners are paid by private persons as before Directed.

AND BE IT FURTHER ENACTED by the Authority aforesaid that upon the Ordering of any One Justice of the Peace the Surveyors or Overseers of the Several Towns Precincts and Divisions shall within Eight days thereafter warn and set to work the respective Inhabitants to mend and repair the Highways and Roads which by Law they are Obligated to Repair; and if any of the Surveyors or Overseers shall Neglect or refuse to warn and Set to work the Inhabitants as aforesaid; and See the said Highways and Roads amended and Repaired; such Surveyor or Surveyors shall for every such Neglect or Refusal forfeit and pay a fine of Forty Shillings; to be adjudged by and Recovered before any One Justice of the Peace of said County where such Neglect or Refusal shall happen, upon the Oath of any One Witness or upon the View of such Justice in the Common or Usual Method; which fine shall be applied towards repairing the said Highways in such Town or place wherein such fine may Arise.

AND BE IT FURTHER ENACTED by the Authority aforesaid that one Certain Act passed the Twenty Ninth of November One thousand Seven Hundred and forty five Entitled "An Act for the better clearing Regulating, and further laying Out Highways in King's County, Queens County, Richmond County and Orange County as far as it respects the County of Richmond aforesaid shall be, and hereby is repealed during the Continuance of this Act.

AND BE IT FURTHER ENACTED by the Authority aforesaid that this Act shall be in force from the first day of March next, until the first day of March which will be in the year One Thousand Seven Hundred and Sixty Eight.

[CHAPTER 1268.]

[Chapter 1268 of Van Schaack, where the act is printed in full. See chapter 712. Continued by chapter 1413.]

An Act for the better Regulating the Publick Roads in the City and County of New York, and to Levy Money to Defray the Expence thereof.

[Passed, October 20, 1761.]

BE IT ENACTED by his Honour the Lieutenant Governor, the Council and the General Assembly, and it is hereby Enacted by the Authority of the same that the Mayor Aldermen and Commonality of the City of New York and their Successors forever shall be and are hereby appointed Commissioners to Regulate and keep in Repair the present Highways, and to lay out Regulate and keep in Repair such Other publick Roads or highways in the said City and County as shall hereafter be laid out by Act or Acts hereafter to be passed for that purpose, and they are hereby fully Authorized and Impowered to put in Execution the several Services intended by this Act and to Levy such Sum and Sums of Money as may be Necessary for the Defraying thereof in the Manner herein after directed that is to say that the said Commissioners are hereby Authorized and Impowered to Widen all the Publick Roads and Highways already laid out in the said City and County to such Convenient Breadth as the said Commissioners shall Judge fit to make them passable for Horses and Carriages Paying the owner or Proprietor the Value thereof as shall be Assessed by a Jury Summoned as usual and also to make all such Other public Roads or Highways as they shall



think Necessary or Convenient to lay out in the said City and County in manner as aforesaid, if the owners of the Lands thro' which such New Roads are to Run will on reasonable Recompence consent to the same; and to Stop up or Alter any Old Roads which they shall think proper provided such Alteration and Stopping up be made and done with the Consent of the Owners of the Lands contiguous thereto; AND ALSO to make and Build Bridges and Causeways where they shall think it necessary and to dig Ditches from the said Roads thro' any persons Land where they shall Judge it necessary for the Carrying off the Water and keeping the Roads dry, and also to appoint one or more Surveyors or Overseers of the said Roads and to employ Labourers and Workmen on the best Terms they can to make and keep in Repair the said Public Roads or Highways and to plant Trees at proper Distances along the sides thereof, and yearly to raise the Moneys necessary to defray the Expences arising from the Widening and laying out of all Roads, and draining, Repairing and Ornamenting the same and building Bridges and Causeways in the same, and all Other Expences in any wise necessary in their Judgement for the well regulating the Roads in the said City and County by a Tax on the Real and personal Estates of the Inhabitants of the said City and County to be Assessed Levied and Collected at the same time and in the same Manner in which the Monies for the Poor Tax is Assessed and collected.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the said Commissioners shall from time to time during the Continuance of this Act enter in Writing all the High Roads or Ways by them Widened laid out Altered or Stopped up to be Signed by the Clerk of the said Mayor Aldermen and Commonalty and Cause the same to be entered in the Records of the said City and County and whatever the said Commissioners shall do according to the Power given them by this Act being so ENTERED on Record shall be deemed Valid and good to all Intents Constructions and Purposes in the Law whatsoever, and if any person or persons shall lay out any Road or Roads thro' his her or their Lands and Leave the same open for Common use by the Space of three Months the said Commissioners are hereby empowered immediately thereafter to Record all and every such Road and Roads in the Manner herein after directed, which being so Recorded shall be deemed Public Roads and Highways to all Intents Constructions and purposes whatsoever.

AND BE IT FURTHER ENACTED by the Authority aforesaid that in Case any person or persons shall wantonly Spoil or Damage any such Roads Bridges or Causeways, or fill up or Destroy any of the Ditches aforesaid or Fence across any of the said Roads or Highways or Set up Gates thereon or put or leave in them any unnecessary Obstruction without leave of the said Commissioners such person or persons shall for every such Offence forfeit and pay to the Chamberlain of the City of New York the Sum of Forty Shillings to be applied to the repairing and embellishing the said Roads or Highways as the said Commissioners shall think fit, and to be recovered by the said Chamberlain by Action of Debt with Costs of Suit in a Summary way before any Justice of the Peace within this City; and in Case any person or persons shall leave a Dead Horse or the Carcass of any Other Beast or any Broken Carriage on any of the said Roads or Highways for any longer time than is Necessary in Order to remove the same, or set up near the said Roads or High Ways any Scare Crow, or any Other thing by which Horses are usually affrighted, or shall by any Improper Behaviour Affright any Horse or Traveller on any of the said Roads, every such person or persons shall for every such Offence forfeit the Sum of Forty Shillings, and any person leaving a dead Dog in any of the said Roads or Highways shall forfeit the Sum of Ten Shillings to be recovered Paid and applied as aforesaid.

AND BE IT FURTHER ENACTED by the Authority aforesaid that in case any person or Persons shall sell or any way destroy any Tree or Trees standing on any of the said Roads or within the Distance of One Rod of any of them without the leave of the said Mayor Aldermen and Commonalty or of the Owner of such Tree or Trees such person or persons shall for every such Offence forfeit the Sum of three Pounds to be Recovered Paid and applied as aforesaid.

AND BE IT FURTHER ENACTED by the Authority aforesaid that all persons meeting each Other on any of the said Roads or Highways in Carriages, those going out shall give way to such as are coming towards the Town.

AND BE IT FURTHER ENACTED by the Authority aforesaid that on Information being given by any person whatsoever to the Overseer of the said Roads or Highways of any of the aforesaid Nuisances or Obstructions he shall immediately proceed to the Removing thereof, and shall also use his best Endeavours

to discover the person or persons who Committed the same who upon Discovery shall not only be liable to the Penalties herein before appointed according to the Nature of the Offence but also to the Costs of removing them, and a reasonable Allowance to the said Overseer for his time and trouble therein to be recovered by him in a Summary way with Costs of Suit before any Justice of the Peace within the said City; and every such Overseer Neglecting or Refusing to do his Duty According to the true intent and Meaning of this Act shall for every such Neglect or Refusal forfeit the Sum of Five Pounds to be recovered Paid and applied as aforesaid, and in Order as far as possible to prevent the Evasion of the Good purposes intended by this Act.

BE IT FURTHER ENACTED by the Authority aforesaid that the Owner of any Dead Horse or Other Nuisance left on any of the said Roads or HighWays shall be deemed to have put or left the same thereon unless he proves the Contrary.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the first process to be issued against any Offender or Offenders against this Act shall be by Warrant and not Otherwise and the Execution on every such process shall be against the Goods and Chattles of the Offender or Offenders, and for Want of such Goods and Chattles, against his her or their Bodies and shall be contained in One and the same precept and not Otherwise, any Law Usage or Custom to the Contrary thereof in any wise notwithstanding.

AND WHEREAS Several Private Persons have at their own Expence planted Trees fronting their Houses in the said City and along the Roads leading to the City, which afford not only a Convenience to themselves but are a public Ornament; to prevent therefore the Damageing or destroying such Trees. BE IT ALSO ENACTED by the Authority aforesaid that if any person Shall cut down Root up or Otherwise destroy, impair or injure the Growth of any such Tree he she or they being Convicted thereof before any one of his Majesty's said Justices of the Peace who is and are hereby Authorized to take Cognizance of hear try and determine the same shall forfeit for every such Tree the Sum of Five Pounds to be applied in manner aforesaid and to be levied by Warrent of the Justice before whom the Conviction shall be had on the Offenders Goods and Chattles, and if no Goods and Chattles can be found whereon to Levy the said forfeiture, then the Offender to be committed by such Justice to the

Common Goal there to remain for the Space of three Months, unless the said forfeiture shall be sooner paid; and if the Offender be a Servant or Slave the said Justice shall Order and adjudge such Servant or Slave to be Whipt at discretion, not Exceeding thirty nine Lashes at the Publick Whipping Post in the said City. This Act to be in force from the Publication to the first day of January which will be in the Year One Thousand Seven hundred and Seventy, any Law Usage or Custom to the Contrary hereof Notwithstanding.

[CHAPTER 1269.]

[Chapter 1269 of Van Schaack, where the act is printed in full. See chapter 1011. Continued by chapter 1339.]

An Act to Continue the Several Acts therein mentioned respecting the Highways in the County of Suffolk.

[Passed, October 20. 1764.]

BE IT ENACTED by His Honour the Lieutenant Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same that the Act Entitled "An Act for the better clearing, Regulating and further laying Out Publick HighWays in the County of Suffolk" passed in the Sixth year of his late Majesty's Reign; and the Act Entitled An Act to continue "an act Entitled an act for the better Clearing, Regulating, and further laying out Publick HighWays in the County of Suffolk with some Additions thereto," passed in the thirteenth Year of his said late Majesty's Reign, AND ALSO the Act Entitled "an Act to Amend an Act Entitled An Act for the better Clearing, Regulating and further laying out Public Highways in the County of Suffolk" Passed in the Nineteenth Year of his said late Majesty's Reign being near expired shall be and hereby are continued, and every Clause, Matter, article and thing in the aforesaid three Acts contained, Enacted to be and remain in full force and Vertue to all Intents constructions and purposes whatsoever from the first day of January next, untill the first day of January which will be in the Year of Our Lord One Thousand Seven Hundred and Seventy.

## [CHAPTER 1270.]

[Chapter 1270 of Van Schaack, where the title only is printed.]

An Act to enable the Supervisors of the County of Westchester to raise the Sum of Eight hundred Ninety and two Pounds due from the Said County On the Act therein mentioned

[Passed, October 20. 1764.]

WHEREAS the Supervisors of Westchester County, did neglect On the first Day of June One thousand Seven hundred and Sixty One to raise the Sum of Eight hundred and Ninety two pounds due from the Said County by vertue of An Act Passed in the Twenty Eighth year of the Reign of his late Majesty King George the second Entituled "An Act for paying and subsisting "Eight Compleat Companies of One hundred effective Men each. "Officers included to assist in conjunction with the Neighbouring "Colonies in Erecting One or more Forts Nigh Crown Point "within his Majesty's Dominions for raising the Sum of Ten "thousand Pounds for and towards the Said Service, and for "making current Bills of Credit to the amount thereof, and other "Purposes therein mentioned "

BE IT THEREFORE ENACTED by his Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same that it Shall and may be lawfull to and for the Said Supervisors of the County of Westchester or the Major part of them, and they are hereby directed and required on the first Tuesday in June Next when they shall meet to raise the Taxes Of the Said County to add the said sum of Eight hundred and Ninety two Pounds to the Taxes then to be raised And order the same to be Collected and paid in the same manner and form and under the same restrictions as are contained in the before Recited Act



## [CHAPTER 1271.]

[Chapter 1271 of Van Schaack, where the act is printed in full. See chapter 924.]

An Act to continue an act Entitled "An Act to prevent damages By Swine in the Manour of Livingston."

[Passed, October 20. 1764.]

WHEREAS An act Entitled "An act to prevent damages by Swine in the Manour of Livingston" passed in the Twenty Sixth Year of His late Majesty's Reign, will expire by its own Limitation on the first day of January next, and the said Act being found useful and necessary

BE IT THEREFORE ENACTED by His Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same, that the Above-mentioned Act Entitled "An act to prevent Damages by Swine in the Manour of Livingston" Shall be and hereby is continued and every Article clause and thing therein contained Enacted to be and remain in full force until the first day of January which will be in the Year of our Lord One thousand Seven hundred and Eighty

## [CHAPTER 1272.]

[Chapter 1272 of Van Schaack, where the act is printed in full.]

An Act for naturalizing Hermann Myer, Frans Petrus Roggen, Johan Jacob Roggen, Gerrit Welp Nicholas Falk, Christopher Abraham Vernezobre, Aaron Isaack Hendrick Slegt, Jury Mack, Jacob Siebe Michael Saxe, Henry Widerstein, Christian Schell, Johannes Schell, Johannis Roussette and John Styers

[Passed, October 20. 1764.]

WHEREAS the abovenamed Persons have by their Several Petitions presented to the General Assembly desired that they may be Naturalized and become His Majesty's loyal Subjects and Settlers in this Colony

BE IT THEREFORE ENACTED by His Honour the Lieutenant Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the Same, that the before

mentioned several Persons and each and every of them Shall be and hereby are declared to be Naturalized to all Intents Constructions and purposes whatsoever and from henceforth and at all times hereafter shall be Intitled to have and enjoy all the Rights and Liberties Priviledges and Advantages which His Majesty's Natural Born Subjects in this Colony have and enjoy or ought to have and enjoy as fully to all Intents and purposes whatsoever as if all and every of them had been Born within this Colony

PROVIDED ALWAYS and It is hereby further Enacted by the Authority Aforesaid that all and every and each of the Abovementioned Persons shall take the Oaths Appointed by Law instead of the Oaths of Allegiance and Supremacy Subscribe the Test and make Repeat Swear to and Subscribe the Abjuration Oath in any of His Majesty's Courts of Record within this Colony Which Oaths the Said Courts are hereby required upon Application to them made to Administer take Subscriptions and cause the names of the Persons so swearing AND Subscribing to be entered upon Record in the said Courts and the said before mentioned Persons are each of them hereby required to Pay the several Sums hereafter mentioned, that is to Say, To the Speaker of the General Assembly the Sum of Ten Shillings, To the Judge of such Court the sum of Six Shillings, and to the Clerk of Such Court the Sum of three Shillings.

AND BE IT FURTHER ENACTED BY the Authority aforesaid, that If the said Persons or any of them, having so Sworn and Subscribed as aforesaid shall demand a Certificate of His or their being entered upon Record in the manner herein before directed the Court or Courts in which such Oaths & Subscriptions Shall be made are hereby directed and Required to grant such under the hand of the Judge and Seal of the Said Court or Courts in which Such Oaths and Subscriptions as Aforesaid shall be made, Countersigned by the Clerk of the said Courts, for which certificate each of them shall Pay over and above the Sums Above mentioned the Sum of Six Shillings One half to the Judge of Such Court or Courts and the other half to the Clerk thereof Which Certificate or Certificates shall be at all times to the Person or Persons therein named a sufficient proof of his or their being Naturalized by virtue of this Act in as full and effectual a manner as if the Record Aforesaid was Actually produced by the Person or Persons So named in such Certificate

PROVIDED ALSO AND BE IT ENACTED by the Authority aforesaid that such of the Persons hereby Naturalized as Shall not take the Oath Test and abjuration in manner herein before directed within Twelve Months next after the Publication hereof shall have no manner of benefit by this Act Any thing herein contained to the contrary notwithstanding.

AND BE IT ENACTED by the same Authority that the Publick Printer of this Colony Shall and hereby is directed and required to Print this Act as if the same were a Publick Act of this Colony

### TWENTY-NINTH ASSEMBLY.

#### *Ninth Session.*

(Begun Nov. 12, 1765, 6 George III, Sir Henry Moore, Governor.)

#### [CHAPTER 1273.]

[Chapter 1273 of Van Sebaeck, where the title only is printed. See chapter 1239.]

An Act further to Continue an Act Entituled "An Act for granting to his Majesty the several Duties and Impositions on Goods Wares and Merchandizes imported into this Colony therein mentioned."

[Passed, December 22, 1765.]

WHEREAS the several Duties and impositions on Goods wares and Merchandizes imported into this Colony, and granted for the Support of the Government of his late Majesty King George the Second by the above mentioned act, have by several Subsequent acts been continued to the first day of January next: AND the General Assembly being willing to make provision for the further Support of his Majesty's Government of this Colony.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council and the General Assembly and it is hereby Enacted by the authority of the same, that the abovementioned Act Entituled "An Act for granting to his Majesty the several Duties and Impositions on Goods wares and Merchandizes imported into this Colony therein mentioned," passed in the Twenty seventh year of his late Majesty's Reign, shall be, and hereby is continued; and every Clause, matter, and thing therein contained, enacted to be and remain in full force to all Intents, Constructions and purposes whatsoever, from the said first day of January next, until the first day of January, which will be in

the year of our Lord one thousand seven hundred and sixty seven inclusive.

[CHAPTER 1274.]

[Chapter 1274 of Van Schaack, where the title only is printed.]

An Act for the Payment of the Salaries and Services of the several Officers of the Government from the first day of September One thousand seven hundred and Sixty five to the first day of September one thousand Seven hundred and Sixty six inclusive; and other purposes therein mentioned.

[Passed, December 23, 1765.]

BE IT ENACTED by his Excellency the Governor, the Council, and the General Assembly, and it is hereby Enacted by the authority of the same, That the Treasurer of this Colony shall be, and hereby is directed and required, out of the Money arisen, or which may arise by virtue of the two following acts Vizt "An Act for granting to his Majesty the several Duties and Impositions on Goods Wares, and Merchandizes-imported into this Colony, therein mentioned," and the "Act to restrain Hawkers and Pedlars from selling without Licence in this Colony," to pay the several following sums of Money Vizt.

UNTO his Excellency the Governor for administring the Government of this Colony from the Twelfth day of November One thousand Seven hundred and Sixty five to the first day of September One thousand Seven hundred and Sixty six, after the rate of Two thousand pounds p Annum.

UNTO his said Excellency the Governor for providing fire wood and Candles for his Majesty's Garrison in Fort George in the City of New York from the first day of September One thousand seven hundred and Sixty five to the first day of September One thousand Seven hundred and Sixty six, the sum of Four hundred pounds

UNTO the Chief Justice of this Colony for his Services in that Station, and for going the Circuits, from the first day of September One thousand Seven hundred and Sixty five to the first day of September one thousand Seven hundred and Sixty six, after the Rate of Three hundred p Annum.

UNTO the Second Justice of the Supreme Court of this Colony, for his Services in that Station, and for going the Circuits, from

the first day of September One thousand Seven hundred and Sixty five, to the first day of September One thousand Seven hundred and Sixty Six, after the rate of Two hundred pounds per Annum

UNTO the third Justice of the Supreme Court of this Colony for his Services in that Station, and for going the Circuits from the first day of September One thousand Seven hundred and Sixty five to the first day of September One thousand Seven hundred and Sixty Six, after the rate of Two hundred pounds per Annum

UNTO the fourth Justice of the Supreme Court of this Colony for his Services in that Station, and for going the Circuits, from the first day of September One thousand Seven hundred and Sixty five, to the first day of September One thousand seven hundred and Sixty six, after the rate of Two hundred pounds per Annum.

UNTO the Secretary of this Colony for the time being for Engrossing and Enrolling the Acts of the Governor, Council, and General Assembly, from the first day of September One thousand Seven hundred and Sixty five, to the first day of September One thousand Seven hundred and Sixty six the sum of Thirty pounds.

UNTO the Clerk of the Council for the time being for his Services in that Station from and to the time aforesaid, the sum of Thirty pounds.

UNTO the Doorkeeper of the Council for the time being for his Services in that Station, from and to the time aforesaid the sum of Twenty pounds.

UNTO John Kipp as Guager of Liquor Subject to Duties within this Colony, or to the Guager thereof for the time being, for his Services in that Station from and to the time aforesaid, after the Rate of Thirty pounds per Annum.

UNTO Thomas Hill and Josiah Smith Land and Tide waiters, or to the Land and Tidewaiters for the time being, for their Services in that Station, from and to the time aforesaid, after the Rate of Fifty pounds per annum each of them.

ALL which aforesaid several sums of Money shall be paid by the Treasurer, on warrants issued BY his Excellency the Governor, or the Commander in Chief for the time being, by and with the Advice and consent of his Majesty's Council of this Colony. And the Receipt of the several Persons endorsed on the said



warrants, shall be to the Treasurer good Vouchers and discharges for so much as shall be thereby acknowledged to be received.

AND BE IT ENACTED by the Authority aforesaid that the Treasurer shall be, and hereby is directed and required, out of the Funds aforesaid, to pay the several allowances following VIZ:

UNTO Abraham De Peyster Esquire Treasurer of this Colony, for his Services in that Station from the first day of September One thousand Seven hundred and Sixty five, to the first day of September One thousand Seven hundred and Sixty six, after the rate of two hundred pounds per Annum.

UNTO the said Treasurer, for the extraordinary Services which he is now Obligated to perform beyond the usual duty of his Office, after the rate of the further sum of One hundred pounds.

WHICH said several sums or so much thereof as shall be really and truly due, shall be allowed to the said Abraham De Peyster, or to his Executors or administrators, as good Discharges for so much in his or their accounts.

UNTO Robert Charles Esquire Agent of this Colony in Great Britain, as a Reward for his Care, Trouble and Dilligence in attending upon his Majesty, and his Ministers of State in that Station from the first day of September One thousand Seven hundred and Sixty five to the first day of September One thousand Seven hundred and Sixty Six, after the Rate of Five hundred pounds per annum. Which said sum or so much thereof as shall be really and truly due, shall be paid unto the said Robert Charles, or to his Executors administrators or Assigns by an Order of the General Assembly of this Colony, signed by their Speaker for the time being and not otherwise.

UNTO the said Robert Charles or his Order for sundry disbursements made by him for the Service of this Colony in the years One thousand Seven hundred and sixty three, One thousand Seven hundred and sixty four, and One thousand seven hundred and sixty five, the sum of Two hundred and Seventy Pounds.

UNTO John Tabor Kempe Esquire his Majesty's Attorney General of this Colony for several extraordinary Services performed by him in that Station, the sum of one hundred and fifty pounds.

UNTO Abraham Lott Clerk of the General Assembly for his Services in that Station from the first day of September One thousand seven hundred and Sixty five to the first day of September One thousand Seven hundred and Sixty six, Twenty shillings per diem payable upon a Certificate from the General Assembly signed by the Speaker for the Number of Days he has served or may serve the General Assembly.

UNTO the said Abraham Lott for sundry disbursements by him made for the use of the General Assembly the sum of Ninety four pounds, Eleven shillings and Eight Pence.

UNTO the said Abraham Lott to enable him to compleat the reprinting and binding up the Votes and proceedings of the General Assembly of this Colony pursuant to a Resolution of the said General Assembly on the Eighth day of January one thousand Seven hundred and Sixty two, the sum of Eight hundred and Sixty four pounds, Eight shillings and four pence.

UNTO Alexander Lamb Doorkeeper of the General Assembly for his Services in that Station from the first day of September One thousand seven hundred and Sixty five, to the first day of September One thousand Seven hundred and Sixty six, Six Shillings per Diem, payable upon a Certificate from the General Assembly, Signed by their Speaker, for the Number of Days he has Served, or may serve the General Assembly.

UNTO the said Alexander Lamb for providing firewood, and other necessaries for the use of the General Assembly the sum of Thirty pounds.

UNTO John Martin for his Services as Gunner and Store-keeper of the Colony Stores from the Twenty Eighth day of July One thousand Seven hundred and Sixty four, to the Twenty Eighth day of July One thousand Seven hundred and Sixty five, the sum of Twenty pounds.

UNTO John Dies for a Ballance due to him from this Colony, as late Commissioner for Fortifications as pr his account, the sum of three hundred and Twenty three pounds, four shillings.

UNTO the Honourable John Watts, as Attorney to and for the Account and use of his Excellency General Monckton late Governor of this Colony, for a piece of Furniture left by him in the House in Fort George, the sum of Forty pounds

UNTO John Cruger, Beverly Robinson, and Peter Van Brugh Livingston Commissary's and Paymasters to the Forces Raised in this Colony for the pay of the Officers and Men who were in

the Service of this Colony in the Campaign of the year One thousand Seven hundred and Sixty four, Forty days longer than the time they were Inlisted for, the sum of Twelve hundred and thirty five pounds, Thirteen shillings and four pence, Vizt, for one Major the sum of Twenty four Pounds. For seven Captains each Twenty Pounds: For fourteen Lieutenants each Fourteen Pounds: For one Surgeon the sum of Twenty Pounds: For fourteen Serjeants each Three pounds six shillings and Eight pence: For Twenty one Corporals each Three Pounds. for seven Drummers each Three Pounds: For two Hundred and Ninety Private Men each Two pounds Ten Shillings, Amounting in the whole to the aforesaid sum of Twelve hundred and thirty five pounds, Thirteen shillings and four pence.

UNTO Dirck Van Alen who Acted as a Lieutenant in the Service of this Colony in the Campaign of the year One thousand seven hundred and Sixty four, the sum of Sixty five pounds.

AND be it Enacted by the Authority aforesaid that for answering the Expences of Contingencies, and extraordinary Emergencies that have or may happen for the Services of this Colony from the first day of September One thousand Seven hundred and Sixty five, to the first day of September one thousand Seven hundred and Sixty six, warrants may Issue for the same on the Treasurer from time to time if Drawn by his Excellency the Governor or Commander in Chief for the time being, with the advice and Consent of the Council which the Treasurer is hereby ordered and directed to pay out of the Monies arising by Virtue of the two Acts herein before mentioned, Provided the amount of the said Warrants do not Exceed the sum of One hundred Pounds during that time.

AND be it Enacted by the authority aforesaid that the Treasurer shall and he is hereby directed to keep Exact Books of the several payments which he is directed to make by this Act, and shall Render true and distinct accounts thereof, upon oath, to his Excellency the Governor or Commander in Chief for the time being, the Council, or the General Assembly, when by them or any of them he shall be thereunto Required.

## [CHAPTER 1275.]

[Chapter 1275 of Van Schaack, where the title only is printed. See chapter 124L. Continued by chapter 1303.]

An Act to Continue An Act Entitled  
An Act for Regulating the Militia of the  
Colony of New York.

[Passed, December 23, 1765.]

BE IT ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that the aforesaid Act Entitled An Act for Regulating the Militia of the Colony of New York passed in the fourth year of his present Majesty's Reign, shall be and hereby is Continued; and every Clause, Article, and matter in the said Act Contained, Enacted to be and Remain in full force and Virtue to all Intents Constructions and purposes whatsoever from the first day of January next until the first day of January which will be in the year of our Lord one thousand Seven hundred and Sixty Seven.

## [CHAPTER 1276.]

[Chapter 1276 of Van Schaack, where the title only is printed. Expired January 1, 1767.]

An Act for Collecting the Duty of Excise  
on Strong Liquours retailed in this Colony  
from the first day of January One thousand  
Seven hundred and Sixty six, to the first day  
of January, one thousand Seven hundred and  
sixty Seven inclusive

[Passed, December 23, 1765.]

BE IT ENACTED by his Excellency the Governor, the Council and the General Assembly, And it is hereby Enacted by the Authority of the same that Cornelius Clopper shall be and hereby is appointed Commissioner for Collecting the duty of Excise of and from the several Retailers of Strong Liquours within the City and County of New York, from the first day of January One thousand Seven hundred and Sixty six to the first day of January which will be in the year of our Lord One thousand seven hundred and Sixty seven inclusive.

AND BE IT ENACTED by the Authority aforesaid that the said Commissioner shall as soon after the Publication of this act

as he shall Judge Convenient appoint the several Retailers within the said City and County and Direct and ascertain what each Retailer shall pay for the said Duty, from the first day of January One thousand seven hundred and sixty six to the first day of January One thousand Seven hundred and Sixty seven Inclusive, always provided that the whole sum so to be laid on the several Retailers in the said City and County shall be the full and Entire sum of Eight hundred pounds, with the additional sum of one hundred pounds for incidental Charges, and his Commissions which last is to be at the rate of five per Cent, for which said sum of one hundred pounds he shall account on Oath to the Mayor Aldermen and Commonalty of the City of New York when by them thereunto required, and if it Exceeds his Commissions and incidental Charges the Surplus thereof shall be applied in Ease of the next years Excise, and the said sum of Eight hundred pounds shall by the said Commissioner be paid unto the Treasurer of this Colony on or before the first day of January One thousand Seven hundred and Sixty Seven.

AND BE IT ENACTED by the Authority aforesaid that the several and respective Persons hereafter named shall be and hereby are appointed Commissioners for Collecting the duty of Excise of and from the several and Respective Retailers within the several and respective Counties of this Colony hereafter mentioned, and the Harbours, Bays and Rivers respectively thereunto adjoining and belonging, Vizt for the City and County of Albany Henry Bleeker Junior and Peter Lansingh Esquires

For the Borough of Westchester the Mayor Recorder and Aldermen of the said Borough

For Kings County, Theodorus Polhemus Esquire

For Queens County Benjamin Townsend and Samuel Clowes Esquires

For Suffolk County, Richard Floyd, Hugh Gelston, and Samuel Landon Esquires.

For Westchester County Edward Stephenson, and John Thomas Junior Esquires.

For Dutches County Captain Zephaniah Platt, and Murray, Lester Esquire.

For Ulster County Captain Jonathan Hasbrouck, and Joseph Gasherie Esquire.

For Orange County Colonel Benjamin Tusteen and Jacob Conckling Esquire



And For Richmond County Hezekiah Wright, Joseph Beadell, and Jacob Rezeau Esquires

AND BE IT FURTHER ENACTED by the Authority aforesaid that the aforesaid several and respective Commissioners or the Major part of them respectively shall as soon as Conveniently they can after the publication of this Act meet at the County Hall of their several and respective Counties or at such other place or places as they the said Commissioners shall respectively appoint for putting in Execution the Powers and Authorities given by this Act: at which time, or at such other times as they shall judge necessary the said Commissioners or the Major part of them respectively, shall for their own Counties and Districts severally and respectively fix the Number and appoint the several Retailers within their several and respective County's and Districts and direct and ascertain what each Retailer shall pay for the said Duty of Excise from the first day of January One thousand Seven hundred and Sixty six to the first day of January One thousand seven hundred and sixty seven ALWAYS PROVIDED that the sum to be Laid on the several Retailers in the City and County of Albany shall be the full and Entire sum of one hundred and Twenty seven pounds with the sum of twenty Eight pounds in Addition thereto for the Charges of Managing the same.

On the several Retailers in the Borough of Westchester the full and Entire sum of Ten pounds.

On the several Retailers in Kings County the full and Entire sum of Thirty pounds with the sum of five pounds in Addition thereto for the Charges of Managing the same.

On the several Retailers in Queens County the full and Entire sum of Eighty Pounds with the sum of Ten pounds in addition thereto for the Charges of managing the same

On the several Retailers in Suffolk County the full and Entire sum of Fifty pounds with the sum of Nine pounds in addition thereto for the Charges of Managing the same.

On the several Retailers in Westchester County the full and Entire sum of Sixty pounds with the sum of Fifteen pounds in addition thereto for the Charges of Managing the same

On the several Retailers in Dutches County the full and entire sum of Forty two pounds with the sum of Eight pounds in Addition thereto for the Charges of Managing the same.

On the several Retailers in Ulster County the full and entire sum of Thirty eight pounds with the sum of Eight pounds in Addition thereto for the Charges of managing the same.

On the several Retailers in Orange County the full and entire sum of Nineteen pounds with the sum of four pounds in addition thereto for the Charges of Managing the same.

On the several Retailers in Richmond County the full and Entire sum of Twenty pounds with the sum of one pound ten Shillings in Addition thereto for the Charges of managing the same

AND BE IT FURTHER ENACTED by the Authority aforesaid that the aforesaid several and respective Commissioners shall before they enter on the Execution of the Powers and Authorities given by this act enter into Recognizances unto our Sovereign Lord the King his Heirs and Successors before any Judge of the Supreme Court or of the Inferior Courts in the following sums that is to say.

The said Cornelius Clopper in the penal sum of One thousand six hundred pounds

The said Henry Blocker and Peter Lansingh in the penal sum of Two hundred and fifty four pounds

The said Benjamin Townsend and Samuel Clowes in the penal sum of One hundred and Sixty pounds

The said Richard Floyd, Hugh Gelston, and Samuel Landon in the penal sum of one hundred pounds

The said Theodorus Polhemus in the penal sum of Sixty pounds

The said Edward Stephenson and John Thomas Junior in the penal sum of One hundred and Twenty pounds.

The said Zephaniah Platt and Murray Lester in the penal sum of Eighty four pounds.

The said Jonathau Hasbrouck and Joseph Gasherle in the penal sum of seventy six pounds

The said Jacob Conckling and Benjamin Tusteen in the penal sum of Thirty eight pounds

And the said Hezekiah Wright, Jacob Rezeau, and Joseph Bedell in the penal sum of Forty pounds.

Conditioned that they shall well and truly pay to the Treasurer of this Colony on or before the first day of January which will be in the year of our Lord One thousand seven hundred and Sixty seven, the several and respective sums to be laid in manner as aforesaid on the several and respective Retailers within their

several and respective Counties exclusive of the several and respective sums by this Act allowed for the Charges of management.

AND BE IT FURTHER ENACTED by the authority aforesaid that the aforesaid several and respective Retailers shall pay the aforesaid several and respective sums laid or to be laid on them unto the aforesaid several and respective Commissioners on or before the first day of December One thousand seven hundred and sixty six for securing which payment, the said Commissioners shall respectively oblige the said several and respective Retailers to give such Security as they the said Commissioners shall think necessary, Provided that such RETAILERS in the City of New York as shall be rated at three pounds and under and such in the several Counties as shall be Rated at Thirty shillings and under shall not be permitted to have Liberty to Retail unless they immediately pay the several and respective sums they shall be Rated at, to the aforesaid respective Commissioners, any thing herein before Contained to the Contrary Notwithstanding

AND BE IT FURTHER ENACTED by the Authority aforesaid that in Case any Person or Persons whatsoever, other than such as the Commissioners shall permit, shall presume to sell any strong Liquors by Retail directly or Indirectly, the Offender or Offenders shall for every such Offence forfeit the sum of six pounds to be recovered by the said Commissioner or Commissioners respectively, on oath of any one Credible Witness in a Summary way in the Cities of New York and Albany and Borough of Westchester, before the Mayor or Recorder, and one or more aldermen of the said Cities and Borough respectively, and in the several Counties before any Justice of the Peace within the said County respectively, and if upon Conviction the said forfeitures be not paid the same shall be levied on the Goods and Chattles of the Offender or Offenders by warrant or warrants under the Hands and Seals of the Person or Persons before whom such Conviction shall happen, and if no Goods and Chattles are found on which to distrain, it shall and may be lawful for the Person or Persons who heard and determined the Cause to Commit the Offender or Offenders to Goal without Bail or Mainprize for the space of three months unless the Penalties are sooner discharged, and said respective Magistrates shall be and are hereby fully Impowered directed and Required to hear

and determine those matters in the manner aforesaid, and to give Judgment, and if need be to award Execution thereon, and to issue a warrant or warrants for the Commitment of offenders as the Case may require, one third of which forfeiture shall be to the Informer or Informers one third to the said Commissioners and one third to the Poor of the Town, Mannor, or Precinct where the Offence shall be Committed to be paid into the Hands of the Church wardens or Overseers of the Poor of the said respective place or places by the officer or Officers by whom the same shall be levied, any thing in any of the Acts of this Colony to the Contrary notwithstanding.

And be it Enacted by the Authority aforesaid that the several Retailers who shall be permitted and allowed to Retail by the said Commissioner or Commissioners shall before they do so retail any Strong Liquors enter into Recognizance, that is to say, in the Cities of New York and Albany and Borough of Westchester before the respective Mayors thereof, and in the several Counties of this Colony before two Justices of the Peace in the penal sum of Twenty pounds with sufficient sureties in the Like sum Conditioned to keep an Orderly House according to Law during the time they shall be permitted to Retail as aforesaid, and thereupon the said Respective Mayors or the said Justices shall grant to such person or Persons who have entered into such Recognizance a Licence under his or their hands and Seals to Retail strong Liquors in such House and place as shall be mentioned therein during the Continuance of this act: which Recognizances are to be Lodged by the person or persons before whom the same shall be taken Vizt in the Cities of New York and Albany and Borough of Westchester with the Town Clerks, and in the several Counties with the respective Clerks thereof, and upon Complaint of the Breach of the said Condition it shall be Lawfull for the said Mayors and aldermen of New York, and Albany and Borough of Westchester respectively or the Greater Number of them, and in the Counties for the Justices of the General and Special Sessions of the Peace to Suppress the Licence or Licences of such offender or offenders

AND BE IT FURTHER ENACTED by the Authority aforesaid, that in Case any of the Persons who shall be permitted to retail Strong Liquors as aforesaid, by the said Commissioner or Commissioners, shall presume to Retail before he she or they have obtained a Licence and Entered into Recognizance to keep

an orderly House as aforesaid, he, she, or they, so offending shall respectively forfeit the sum of six pounds for each OFFENCE to be recovered in a Summary way in the manner before directed, one half thereof to the Informer and the other half to the Poor of the Town Manor or Precinct where the forfeiture shall arise.

AND that the Expence of being Qualified to Retail may be within the bounds of Moderation, BE IT ENACTED by the Authority aforesaid that no more shall be taken for a Licence and Recognizance in the Cities of New York and Albany and Borough of Westchester, than the usual and accustomed Fees, and in the respective Counties than the sum of three shillings.

AND BE IT FURTHER ENACTED by the Authority aforesaid that such Persons permitted to retail as aforesaid by the said Commissioner Or Commissioners, who Retail strong Liquor not to be drank in their own Houses but Carried elsewhere shall not be Obligated to enter into the Recognizance and take Licence as aforesaid, any thing Contained in this act to the Contrary notwithstanding

AND BE IT ENACTED by the Authority aforesaid that in Case all the several sums for which the Excise shall be Let in the several and Respective Cities Counties and Districts of this Colony shall fall short of the sums herein before rated on the several and respective Cities Counties and Districts with the aforesaid incidental Charges of Letting and Collecting the same, then the Commissioner or Commissioners aforesaid where such deficiencies shall happen shall be and are hereby empowered to call the Retailers before them, and Assess and Rate such sum and sums upon them as shall be sufficient to make up such deficiencies which said Additional sums shall be Collected and paid in the same manner with the several and Respective sums first laid.

AND BE IT ENACTED by the Authority aforesaid that in Case of the Death of any of the aforesaid Commissioners the Surviving Commissioner or Commissioners where such Death may happen shall be and hereby is and are Entitled to the whole Reward and vested with the same powers and authorities to Execute this act as if no such Death had happened, and in Case of the Death of all the Commissioners of any of the Respective Cities Counties and Districts then the Sheriff or Sheriffs for the time being of the Cities Counties or Districts where such death may happen shall be and hereby is and are vested with all the



Powers and Authorities given to the Commissioners by this act, shall be under the same Regulations, and intitled to the same Rewards to all Intents Constructions and purposes whatsoever as if they had been particularly named and appointed in this act, any thing in this act to the Contrary Notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that all the Monies to be paid to the Treasurer of this Colony by Virtue of this act shall be Employed for and towards Cancelling the Bills of Credit struck and Emitted upon the said Duty of Excise, at the times and in the manner directed in and by an act Entituled An Act for the more effectual Cancelling the Bills of Credit of this Colony passed in the Twenty first year of his late Majesty's Reign, and to and for no other use whatsoever.

AND BE IT FURTHER ENACTED that the Retailers in the City of New York shall pay the Excise in three several payments or Sooner as the Commissioner and they shall agree, PROVIDED ALWAYS that nothing in this act shall be Construed to make void, abridge or any wise Lessen the several Rights and Privileges granted unto the Cities of New York and Albany and Borough of Westchester by their respective Charters, any thing Contained in this act to the Contrary thereof notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Commissioner or Commissioners of each County and district, Except the City and County of New York, shall at the next meeting of the Supervisors of their respective Counties after the first day of January which will be in the year of our Lord One thousand Seven hundred and Sixty seven, render a true Account on Oath to them of all the Monies which he or they the said Commissioner or Commissioners has or have received or shall be due to him or them on account of the Excise for the preceding year, and whatever sum or sums he or they has or have received or shall be due to him or them above the sum or sums directed by this act to be Levied in their respective Counties or Districts shall be paid to the Treasurer thereof and applied by him towards the defraying of the County Charges of the said County in the manner the said Supervisors shall direct, any thing herein to the Contrary Notwithstanding.

## [CHAPTER 1277.]

[Chapter 1277 of Van Schaack, where the title only is printed. See chapter 1230. Continued by chapter 1306.]

An Act to Continue An Act Entituled  
An Act to lay a Duty of Tonnage on Vessels  
for defraying the Expence of the Light House  
on Sandy Hook.

[Passed, December 23, 1765.]

BE IT ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby Enacted by the authority of the same, That the act Entituled An Act to lay a duty of Tonnage on Vessels for defraying the Expence of the Light House on Sandy Hook passed in the fourth year of the Reign of his present Majesty shall be and hereby is Continued in full force and Virtue to all Intents and purposes from the first day of January next, untill the first day of January which will be in the Year of our Lord One thousand Seven hundred and Sixty Seven.

## [CHAPTER 1278.]

[Chapter 1278 of Van Schaack, where the title only is printed. See chapter 1244. Expired January 1, 1767.]

An Act further to Continue An Act Entituled "An Act to restrain Hawkers and Pedlars from Selling without Licence in this Colony."

[Passed, December 23, 1765.]

BE IT ENACTED by his Excellency the Governor the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same, That the act Entituled "An Act to restrain Hawkers and Pedlars from selling without Licence in this Colony" passed in the Thirty third year of the Reign of his late Majesty which will Expire on the first day of January next, shall be continued, and every Article, Clause, matter, and thing therein contained shall be, and hereby is Enacted to remain of full force and virtue, from the said first day of January next, untill the first day of January, which will be in the year of our Lord One thousand Seven hundred and sixty seven.

## [CHAPTER 1279.]

[Chapter 1279 of Van Schaack, where the act is printed in full. See chapter 1532.]

An Act to Restrain the bringing of Writts of Certiorari and Writts of Error for Removal of Judgments given before Justices of the Peace within this Colony.

[Passed, December 23, 1765.]

WHEREAS it hath been found by Experience that many Persons have, upon the most frivolous Pretence frequently procured writts of Certiorari to the Justices of the Peace, within this Colony for Removal of their Judgments into the Supreme Court, which tends to the great Delay of Justice and to the Damage and oppression of many of the People in this Colony; there being no Costs given by Law in such Cases against the Party unjustly bringing such Certiorari.

FOR PREVENTION WHEREOF BE IT ENACTED by his Excellency the Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same that from and after the first day of January next it shall not be lawful for any Person or Persons being a Party or Parties in any Suit wherein a final Judgment hath been or shall be given by any Justice of the Peace within this Colony in any civil matter, cognizable before such Justice, to procure to be issued out of the Supreme Court of Judicature for the said Colony any writ of Certiorari or Writ of Error for the Removal of such Judgment from before such Justice; unless such Person or Persons so being Parties in such suit and Complaining of such Judgment, shall first have made Affidavit before one of the Judges of the said Supreme Court respecting the proceedings of the said Justice therein, and produce the same to the Judge of the said Supreme Court who shall be applied to, and allow such writ of Certiorari or writ of Error, and it shall not be lawful after the said first day of January next for any Attorney to Solicit, or for any Judge of the said Supreme Court to allow, any such writ of Certiorari or writ of Error, until such Affidavit shall be made and produced as aforesaid, satisfying such Judge that there is reasonable Cause for Granting a Writ of Certiorari or writ of Error to remove the Judgment so Complained of, either for Error therein or some unfair Practice in the Justice who shall have Tried the same, which shall be Specified particularly in such Affidavit.

AND BE IT FURTHER ENACTED by the Authority aforesaid, That in Case any Person making such affidavit as herein before is required, shall swear falsely, that such Person shall be subject and liable to pay all Costs and Damages arising thereby and be punished as those are, who are guilty of wilful and corrupt Perjury.

AND in Case any Person being a Party to such suit, in which final Judgment as aforesaid shall or may be given by any Justice of the Peace, shall procure a writ of Certiorari or writ of Error to be issued out of the said Supreme Court to remove such Judgment, without making an Affidavit as aforesaid Previous thereto, and producing the same to such of the Judges of the said Supreme Court who shall allow the said writ of Certiorari or writ of Error, such Party so procuring such writ of Certiorari or writ of Error shall forfeit the sum of Five pounds to be Recovered with the Costs of suit before any one Justice of the Peace within this Colony by the Person who is or shall be the adverse Party Plaintiff or Defendant in such original Suit before such Justice of the Peace for his own proper use.

AND BE IT FURTHER ENACTED by the Authority aforesaid, That if any Person or Persons where any final Judgment shall be given by any Justice of the Peace as aforesaid, shall get or procure any writ of Certiorari or writ of Error out of the Supreme Court of this Colony after one Month from the date of such Judgment such Person so procuring such writ of Certiorari or writ of Error shall forfeit the sum of five Pounds with Costs of Suit to be Recovered by the adverse Party to and for his use in manner as aforesaid

#### [CHAPTER 1280.]

[Chapter 1280 of Van Schaack, where the title only is printed. See chapters 1232 and 1309.]

An Act more Effectually to secure to  
Creditors the Benefits Intended by the Acts  
for the Relief of Insolvent Debtors

(Passed, December 23, 1795)

WHEREAS by a Certain Act of the President the Council and the General Assembly of this Colony of New York passed in the Nineteenth day of May in the first year of his present Majesty's Reign Entitled An Act for the Relief of Insolvent Debtors and for Repealing the Acts therein mentioned, and continued by a

Certain other act of the Lieutenant Governor, the Council and the General Assembly of this Colony passed the Twentieth day of December in the fourth year of his present Majesty's Reign Entituled An Act to continue An Act Entituled An Act for the Relief of Insolvent Debtors and repealing the acts therein mentioned with an addition thereto. It is among other things Enacted that every such Debtor as is therein mentioned in Conjunction with so many of his or her Creditors as had or should have Debts owing to them by the said Debtor amounting at least to three fourths of all the Money owing by such Debtor whether the same should be then due or payable at some future time or times, should in order to a general discharge present a petition to the Supreme Court, or in the Vacation to two or more of the Judges, or if the said Debtor should be arrested, to the Court or any two of the Judges of the Court out of which the Process against such Debtor Issued praying that his Estate might be delivered to one or more such persons as the said Petitioners or a Majority of them in respect to their Demands on the said Debtor should Nominate to receive and dispose of the same for the use of all his or her Creditors in the manner by the said first mentioned Act directed, AND WHEREAS it was manifestly the intent of the said first mentioned Act not only to relieve such Insolvent Debtors but also to leave their Relief in the discretion of the Majority of their Creditors who on such relief would be Obligated to accept of such Dividends as the Debtors Estates clear of Mortgages or other Incumbrances might be sufficient to pay and without receiving any Consideration other than such dividends for becoming Petitioners for the Relief of such Debtors. Notwithstanding which, it hath in several Instances happened that such Debtors have been Relieved sometimes by procuring some of their Creditors to Subscribe their Petitions with a saving to the Mortgages or other Securities that had been given to them by such Debtors and at other times on payment of part of the debts due to some of their Creditors on Contract promise or Confidence that such Creditors should become Petitioners in respect of the Residue of their Debts, contrary to the true intent and meaning of the said acts

Be it therefore Enacted by his Excellency the Governor, the Council, and the General Assembly And it is hereby Enacted by the authority of the same. That from and after the Publication of this act no Person or Persons being a Creditor or Creditors of



such Insolvent Debtor or Debtors, and having any Mortgage or Mortgages Assignment or Assignments or other Security or Securities of or upon any Lands Tenements or Hereditaments Goods Chattles Effects Thing or Things in action, or other Thing or Things whatsoever either to him her or them immediately, or to any other Person or Persons in Trust for him her or them for securing the payment of any sum or sums of Money by such Debtor or Debtors shall become or be received as Petitioner or Petitioners for the Relief of any such Debtor or Debtors as aforesaid unless such Creditor or Creditors shall annex to his her or their Name or Names subscribed to any Petition or Petitions for the Relief of such Debtor or Debtors a Declaration in writing that he she or they the Petitioner or Petitioners do thereby relinquish and give up to the Assignee or Assignees thereafter to be appointed in consequence of such Petition or Petitions, such Mortgage or Mortgages Assignment or Assignments or other Security or Securities as aforesaid for the Benefit of all the Creditors of such Debtor or Debtors, any Law usage or Custom or any Clause matter or thing in the said two acts or either of them contained to the Contrary thereof in any wise Notwithstanding, and such Mortgage and Mortgages Assignment and Assignments security and Securities as aforesaid made or given to such Petitioner or Petitioners or to any other person or persons for his her or their use and the Lands Tenements Hereditaments Goods Chattles Effects Thing or Things in Action and other thing or things thereby Mortgaged Assigned or bound shall upon his her or their so signing and Subscribing such Petition or Petitions with such declaration as aforesaid vest with the residue of the Estate of such Insolvent Debtor or Debtors as fully and absolutely to all intents and purposes in the Assignees to be appointed on such Petition or Petitions as if such Mortgages Assignments or other Securities or either of them had been made by such Debtor or Debtors to such Assignees for such the uses of the Creditor of such Debtor or Debtors as in the said first mentioned act is directed concerning the Estate of such Debtor or Debtors any Law usage or custom or any Clause matter or thing in the said two acts or either of them contained to the Contrary thereof in any wise Notwithstanding

AND BE IT FURTHER ENACTED by the Authority aforesaid that no person or persons to whom any Debtor or Debtors likely to become insolvent hath or have made or shall make any

payment or payments by Cash sale Assignment or delivery of any Lands Tenements Hereditaments Thing or Things in action or other Thing or Things whatsoever of part or parts of any Debt or Debts upon any secret implied or expressed promise Contract Trust or Confidence that such Person or Persons shall become Petitioner or Petitioners for the residue of the monies remaining due to him her or them from such Debtor or Debtors shall be received as a Petitioner or Petitioners for the Relief of such Debtor or Debtors by the Court or Courts or by the Judges of any Court or Courts to whom such Petition or Petitions shall be address'd presented or delivered, any Law Usage or Custom or any matter Clause or thing in the said two Acts or either of them contained to the contrary thereof in any wise notwithstanding.

AND be it further Enacted by the Authority aforesaid that before any Order shall be made by such Judges Court or Courts on such Petition or Petitions, every Person or Persons whose Name or Names shall be subscribed thereunto as a Petitioner or Petitioners shall make Oath before the Court or the Judges to whom such Petition or Petitions shall be Addressed, presented or delivered that he she or they have not received from the Debtor or Debtors therein named any payment or payments of part or parts of their Demands against such Debtor or Debtors in Cash or by sale Conveyance Assignment or delivery of any Lands Tenements Hereditaments Chattels Goods Effects Thing or Things in Action or other Thing or Things whatsoever upon any Secret implied or Expressed Contract promise Engagement Intent Trust or Confidence whatsoever that he she or they should become Petitioner or Petitioners for and in behalf of such Debtor or Debtors.

AND IN ORDER the more Effectually to prevent the Creditors of Insolvent Debtors from being induced by false States and Estimates of their Debts Estates & Credits to become Petitioners in behalf of such Debtors. Be it further Enacted by the Authority aforesaid that before any Creditor or Creditor shall sign or subscribe such Petition or Petitions as aforesaid, The Debtor or Debtors to be relieved thereon shall make and deliver in writing to the Judges or one of them or to the Court to whom such Petition or Petitions are intended to be presented and delivered such account and Inventory as in and by the said first mentioned act is directed and shall immediately thereupon take the

oath thereby prescribed to authenticate such account and Inventory, which account and Inventory shall be left with such Judge Judges or Court and a true Copy thereof Certified by such Judge or Judges or the Clerk of such Court as aforesaid shall be shown to every Creditor to be perused by him before he shall subscribe or sign such Petition or Petitions as aforesaid, and that unless due proof be made before such Judges or Court by the Oath of one Credible witness before any Order made on such Petition or Petitions that the said Copy of such account and Inventory was Tendered to each respective Creditor subscribing or Signing such Petition or Petitions for his her or their perusal no relief shall be Granted on such Petition or Petitions to the Debtor or Debtors therein named, any Law usage or custom or any Clause matter or thing in the said two acts or either of them CONTAINED to the Contrary thereof in any wise Notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any Debtor or Debtors applying for Relief on this and the two aforesaid acts or either of them shall be Guilty of Perjury or false or Corrupt Swearing in about Touching or concerning any matter Act or thing required prescribed or directed in and by this act or any part thereof he she or they so Offending shall be subject to the same Pains and penalties as in Cases of Corrupt and wilful perjury.

#### [CHAPTER 1231.]

[Chapter 1231 of Van Schaack, where the title only is printed.]

An Act to Impower and Enable the Mayor Recorder and Aldermen of the City of New York to Order the raising a sum not Exceeding fourteen hundred pounds for the uses and purposes therein mentioned.

[Passed, December 23, 1763.]

WHEREAS the Lighting of Lamps and providing a Sufficient Number of watchmen within the City of New York, has not only been found Convenient, but also necessary for the Safety of it's Inhabitants, BE IT THEREFORE Enacted by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same, That the Mayor Recorder and Aldermen of the City of New York for the time being, or the Major part of them, whereof the Mayor or Recorder to be one,

shall have full power and authority, and are hereby fully Impowered and authorized, on the second Tuesday in January next, to Order the Raising a Sum not exceeding fourteen hundred Pounds, by a tax upon the Estates Real and Personal, of all and every the Freeholders, Freemen, Inhabitants, Residents and Sojourners, within the City of New York, South of Fresh water, for the payment of so many Watchmen, as the Mayor, Aldermen and Commonalty of the City of New York shall think necessary for Guarding the City, and for purchasing of Oyl, for repairing and attending the Lamps, which now are, or hereafter may be Erected, and add the said sum of fourteen hundred pounds, to the sum which shall be Raised for the Minister and Poor of the said City, which Tax so to be laid, shall be rated and Assessed at the same time, and by the Vestry men who shall Rate and Assess the tax for the Minister and poor of the said City, and shall be Rated together in one Assessment made of the whole; the Vestrymen first taking the Oath prescribed to be taken in and by an Act Entituled, An Act to enable the Inhabitants of the City of New York to Chuse two Vestrymen for each respective ward within the said City, made and passed in the nineteenth year of the Reign of his late Majesty King George the second, and the tax so to be made, shall be Collected, Levied and paid, at the same time, as the Tax for the maintainance of the Minister and Poor of the said City hath been accustomed, into the hands of the Church wardens of the said City for the time being, who are hereby required and directed, to pay the same into the hands of the Chamberlain of the said City, to be by him paid as he shall be directed, by warrant or warrants of the said Mayor Aldermen and Commonalty, in Common Council Convened for the uses aforesaid.

AND BE IT ENACTED by the Authority aforesaid, that over and above the sum of Fourteen hundred pounds, to be levied and paid by virtue of this act, the sum of three pence in the pound, as a Reward to the Constables for their Extrordinary Trouble, shall be Assessed, levied and paid to the respective Constables, for Collecting and paying the same, and no more, according to the true Intent and meaning of this Act, any thing herein, or in any other act or acts Contained to the Contrary hereof, in any wise notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that if the said Mayor, Recorder, or Aldermen, the Church

wardens, Vestrymen or Constables, of the said City of New York, who are hereby authorized, Impowered and Required, to take effectual Care that this Act be Executed, according to the true Intent and meaning thereof, or any of them, shall deny, Refuse, or delay to perform, Execute, or Comply with all or any of the Powers, authorities and duties in this Act given, and required to be done and performed by them or either of them, and thereof shall be lawfully Convicted in any Court of Record in this Colony, he or they so denying, Refusing, or delaying to perform the duties as aforesaid, SHALL suffer such pains and penalties, by Fine and Imprisonment, as by the Discretion of the Justices of said Court shall be adjudged; to be sued for, and Recovered by the Person or Persons Agrieved thereby; or by any other Person or Persons, who shall sue for, and prosecute the same to effect.

AND BE IT FURTHER ENACTED by the said authority, That if any Person or Persons shall break, or wilfully damage any of the Lamps now Erected or to be Erected within this City, he, she, or they so offending shall forfeit the sum of Twenty pounds for every such Offence to be levied by warrant or warrants under the hands and Seals of two or more of his Majesty's Justices of the Peace for the City and County of New York, by distress and Sale of the Offenders Goods, on due Conviction, made upon the Oath of one or more Credible witness, or witnesses, rendering the overplus, if Any there be, to the owner, or owners, and for want of such Distress, the offender or offenders, shall be Imprisoned, by warrant under the hands and Seals of said Justices, who are hereby required to Issue the same, for the space of three Months, unless the said forfeiture be sooner paid, to be applied to and for the use and Maintenance of the Lamps, and paying the said Watchmen.

AND BE IT FURTHER ENACTED, That all such persons as shall be Employed to guard the said City, and attend the Lamps, shall be under the direction of, and Obey such Orders as they shall, from time to time, receive from the said Mayor, Aldermen, and Commonalty, any Custom, Law, or Usage to the Contrary hereof in any wise Notwithstanding.



## [CHAPTER 1282.]

[Chapter 1282 of Van Schaack, where the act is printed in full. See chapter 1363. The time further prolonged by chapter 1366.]

An Act to prolong the Time for Covering the Buildings in the City of New York, with Slate or Tile, from the first day of January in the year of our Lord One thousand Seven hundred and Sixty six, to the first day of January in the year of our Lord One thousand seven hundred and Sixty Eight

[Passed, December 23, 1763.]

WHEREAS by a Certain Act of his Honour the Lieutenant Governor; the Council and General Assembly of this Colony, made and passed on the Thirty first day of December in the second year of his present Majesty's Reign, Entituled "AN ACT for the more Effectual prevention of fires, and for regulating of Buildings in the City of New York," it is among other things therein Enacted, that from and after the first day of January which should be in the year of our Lord one thousand seven hundred and sixty six, every Dwelling House or Building whatsoever whether publick or Private, that should be Erected after the said first day of January in the year of our Lord One thousand seven hundred and sixty six within the said City to the southward of Fresh Water, should be made of Stone or Brick and Roofed with Tile or Slate. AND WHEREAS a sufficient Quantity of Slate or Tile cannot at present be had or procured to Cover or Roof the Houses and Buildings that are yearly Erected within this City to the Southward of fresh water.

BE IT THEREFORE ENACTED, by his Excellency the Governor, the Council, and the General Assembly, and it is hereby Enacted by the authority of the same, That it shall and may be Lawfull, for the Proprietor or Proprietors, of any Dwelling Houses or Buildings, whether Publick or Private, that now are Erected or Built, or that shall or may be Erected or Built within the said City, to the Southward of Fresh water, on or before the first day of January which will be in the year of our Lord one thousand Seven hundred and Sixty Eight, to Cover or Roof, or Cause to be Covered or Roofed, the same Dwelling House or Buildings, with Board or Shingles, or in such other manner as was accustomed before the making of the said Act. any thing in the said act to the Contrary thereof in any wise notwithstanding.

## [CHAPTER 1283.]

[Chapter 1283 of Van Schaack, where the title only is printed.]

An Act to raise Levy and Collect the sum of One hundred and Twenty three Pounds in the City and County of New York, for Services performed by the Coroner of the said City and County, and for other purposes therein mentioned.

[Passed, December 23 1765]

WHEREAS Thomas Shrieve, the present Coroner of the City and County of New York hath taken Thirty five Inquests during the space of two Years on the dead Bodies of poor Persons, and advanced money for the said Services for which he hath received no allowance or Reward: and hath employed a Surgeon who hath opened the Bodies of Nine Persons during the two years last past, at the request of the Jurors on the view of the said Bodies, who also remains unpaid for his Trouble therein, and it being conceived Just and Reasonable that Provision should be made for the said Services,

Be it therefore Enacted by his Excellency the Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same, That there shall be raised Levied and Collected upon the Freeholders, Inhabitants and Residents of the City and County of New York the sum of One hundred and Twenty three Pounds, to be paid to the said Thomas Shrieve his Executors or administrators for the Services aforesaid: Out of which said sum the said Thomas Shrieve his Executors administrators or Assigns shall pay unto John Bard, his Heirs or Assigns the sum of Eighteen pounds for opening the Nine Bodies aforesaid: and that the said sum of One hundred and Twenty three pounds, together with three pence in the pound for Collecting the same, be raised levied and Collected in the same manner, and by the same Persons, and together with the next Tax that shall be raised levied and Collected for the maintainance of the Minister and Poor of the City and County of New York; and shall together with the same Minister and Poor Tax, be paid by the several Constables that shall Collect the same (they retaining in their Hands the said sum of three pence in the pound) into the Hands of the Church wardens of the said City of New York for the time being.

AND BE IT FURTHER ENACTED by the Authority aforesaid, That the Church wardens of the City of New York for the time being, shall out of the Monies to be raised, Collected and paid in their Hands by virtue of this act, pay unto the said Thomas Shrieve his Executors administrators or Assigns on or before the first day of May next Ensuing, the said sum of One hundred and Twenty three pounds, and the Receipt of the said Thomas Shrieve his Executors administrators or Assigns, shall be a sufficient acquittance or discharge for the same to the said Church Wardens

AND BE IT FURTHER ENACTED by the Authority aforesaid That if the Justices of the Peace, Vestrymen, or Constables of the City of New York aforesaid, who are hereby required, impowered and authorized to take effectual Care that this act be duely executed according to the true Intent and meaning thereof; or if any of them shall deny, refuse or delay to perform or Execute all or any of the Powers, Duties and authorities, in this Act required to be done and performed by them or any of them, and shall thereof be lawfully Convicted in any Court of Record of this Colony, he or they denying, refusing, or delaying to perform the duties aforesaid, shall suffer such pains and Penalties by Fine or Imprisonment, as by the discretion of the said Court shall be adjudged: to be sued for and recovered by the Person or Persons aggrieved thereby.

[CHAPTER 1284.]

[Chapter 1284 of Van Schaack, where the act is printed in full.]

An Act for vesting the property of the Stone Wall, on the North side of the City of Albany in the Corporation of the said City, for the use therein mentioned

[Passed, December 22, 1765.]

WHEREAS the Justices of the Peace for the City and County of Albany, and the Recorder, Aldermen & Assistants of the said City, have by their Petition presented to the General Assembly, Set forth that the Stone Wall on the North side of the said City, which was originally intended as a Security against the Enemy, & by the Reduction of Canada become useless: That the same is much out of Repair, and very inconvenient to many of the Inhabitants: And therefore humbly Prayed they might be authorized to take down the same, and with the Stones thereof build a Pier,

or head, in Hudsons River, on the North side of the said City to prevent damages that may happen by Ice, or otherwise. And the said request being thought reasonable,

BE IT THEREFORE ENACTED by his Excellency the Governor the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same, That the property of the said Stone Wall shall from henceforth be in the Mayor, Recorder Aldermen and Commonalty of the said City of Albany for the purposes of Building or causing to be Built, a Pier, or Head in Hudsons River, to the Northward of the said City, to prevent damages that may happen BY Ice, or otherwise, in such manner and form, as they the said Mayor, Recorder, Aldermen and Commonalty or the major part of them for the time being shall think proper

[CHAPTER 1285.]

[Chapter 1285 of Van Schaack, where the title only is printed. See chapter 1257. Continued by chapter 1333.]

An Act to continue an act Entituled "An  
"act for the more equal Taxation of Estates  
"in the City of Albany"

[Passed, December 23. 1765]

BE IT ENACTED by His Excellency the Governor the Council and the General Assembly and It is hereby Enacted by the Authority of the same, That the Act Entituled "An Act for the  
"more equal Taxation of Estates in the City of Albany" Passed in the fourth year of His Majesty's Reign, shall be and hereby is continued, and every Clause Matter and thing therein contained Enacted to be and remain of force from the first day of January next, Until the first day of January which will be in the Year of Our Lord One thousand Seven hundred and Sixty Eight

[CHAPTER 1286.]

[Chapter 1286 of Van Schaack, where the act is printed in full. Extended by chapter 1414.]

An Act to Prevent Damages by Swine in  
that part of the Mannor of Rensselaerwyck  
therein mentioned.

[Passed, December 23. 1765]

WHEREAS Several of the Inhabitants within the Manor of Rensselaerwyck in the County of Albany have been and still are very Negligent and Remiss about their Swine, in suffering them

to run at large, without any manner of Care or Restraint; so that they often get into their Neighbours Corn-Fields, Orchards, Gardens and other Inclosures, and thereto do Considerable hurt and Damage, to prevent which for the future.

BE IT ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby Enacted by the authority of the same, That from and after the Publication of this act it shall and may be lawfull, for all and every the Inhabitants within the said Manor of Rensselaerwyck on the west side of Hudsons River from the North bounds of the City of Albany to the North bounds of the said Manor from time to time and at all times hereafter, during the Continuance of this act to take and Impound, in any Pound or Place within the said Manor and Bounds aforesaid either Publick or Private, all Swine small or great, which shall be found running at large on the Highways, or uninclosed Lands; or shall get into their, or any of their Corn Fields, Orchards, Gardens, or other Inclosures Contrary to the true Intent and meaning of this act; until the Owner or Owners of such Swine shall pay, and Satisfy the Person or Persons who shall so take and Impound them for every grown Swine esteemed six Months Old and upwards, the sum of One shilling Current Money of this Colony; and for every Swine under that age or so esteemed, Nine pence in like money, besides the Damages such Person or Persons shall have sustained by means or Reason of such Trespasses or Trespasses, with the Charge of Feeding the said Swine during the time of their being Impounded; which Damage and Charge shall be ascertained by any Justice of the Peace of the said County of albany, taking to his Assistance two of the Neighbouring Freeholders of the said Manor under Oath, Always Provided that this act nor any Part thereof shall Extend or be Construed to Extend to any swine whatsoever, which shall or may be found running at large, on the Lands of the Owner or Owners of the said Swine, tho' the said Lands lie uninclosed; any thing hereln before Contained to the Contrary Notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that in Case the Owner or Owners of such Swine so taken, kept and Impounded as aforesaid shall, or will not within Forty Eight Hours after due Notice thereof had, of such taking, Keeping and Impounding, Redeem their Swine by paying the said penalty Damages and Charges, imposed by this Act, that then it shall and may be Lawful for the Person or Persons, so taking



Keeping, and Impounding such Swine, to expose them to Open Sale to the Highest Bidder, first giving at least Forty eight Hours publick Notice of such Sale by advertisement; and out of the Money arising by such Sale to retain in their own hands, so much as shall be allowed for the damages and Charges Decreed by the Justice and two Freeholders, with the other Penalties laid by this act as aforesaid, and the overplus, if any be, shall Return to such Owner or Owners, he, she, or they proving to be the true Owner or Owners of such Swine.

PROVIDED Nevertheless, that no Person or Persons whatsoever not being Freeholders or Inhabitants of the said Manor and Bounds aforesaid shall have any Power by this act to take up or Impound any Swine as aforesaid. This act to Continue in force to the year One thousand Seven hundred and Seventy five.

#### [CHAPTER 1287.]

[Chapter 1287 of Van Schaack, where the act is printed in full. Amended by chapter 1451.]

An Act for the better Clearing mending  
and further laying out Publick Highroads  
and others in the County of Ulster.

[Passed, December 23 1765.]

WHEREAS all or most of the Publick ways and Roads are already laid out and ascertained in the County of Ulster. It may Nevertheless be necessary to lay out other High Roads and Private ways, in said County, for the Conveniency of it's Inhabitants and Travellers.

Be it Therefore Enacted by his Excellency the Governor the Council and the General Assembly, And it is hereby Enacted by the Authority of the same, that the Persons herein after named, shall be and hereby are appointed Commissioners to Regulate the Highways, and lay out such other Publick Roads, as may or shall be necessary within the said County of Ulster; and they und each of them are hereby fully Authorized and Impowered to put in Execution the several services Intended by this Act, in such Towns and Precincts only for which they shall be respectively named and appointed, that is to say,

For the Township of the Corporation of Kingston Charles Broadhead Esquire, Captain Cornelius Van Beuren and Wilhelmus Houghteling Junior Esquire.

For the Township of Hurley, Dirck Wynkoop Esquire, Mathias Lefever Esquire and Mr. Anthony Crespel.

For the Township of Marbletown, Louis Bevelr Esquire, Mr. Jacob Hasbrouck, and Mr. Nathaniel Cantine

For the Township of Rochester, Jacob Hoornbeek Esquire, Andries Egbertsen Dewit Esquire and Mr. Benjamin Hoornbeek.

For the Township of the New Paltz and the Neighbourhood thereunto belonging Cornelius Dubois Esquire, Abraham Hasbrouck Esquire, and Mr. Abraham Deyo.

For the Precinct of Shawangunk; Jacobus Bruyn Esqr. Captain Benjamin Smedes and Issac Hasbrouck Esquire

For the Precinct of the Wallkill, Mr. Johannis Miller, Captain Johannis Newkerk, and Mr. Andrew Graham

For the Precinct of Newburgh Captain Jonathan Hasbrouck Mr. Lewis Dubois and Samuel Fowler Esquire

For the Precinct of New Windsor, Colonel Thomas Ellison, Mr. Patrick McClaghry, and George Clinton Esquire

For the Precinct of Memeccating Mr. Benjamin Depuy Mr. Jacob Rutsen Dewit, and Mr. Samuel Gunsalus.

AND BE IT ENACTED by the Authority aforesaid, that the Commissioners or the Major part of them, in the Respective places for which they are named, and appointed Commissioners are hereby Impowered and authorized to Regulate the Roads already laid out, and lay out such other Publick High Roads, in the several places for which they are appointed Commissioners as to them or the Major part of them shall seem necessary and Convenient, and if need be to take a Review of the Roads already laid out; and such of them as shall appear to be really Inconvenient, the said Commissioners shall and may alter the same Provided all the Commissioners appointed for the place Judge it Absolutely necessary, and lay out such other Publick ways or Roads as they or the Major part of them shall think most Convenient as well for Travellers as for the Inhabitants of the next adjacent Towns Precincts, Villages or Neighbourhoods. Provided that nothing in this act Contained, shall Extend, or be Construed to Impower the Commissioners aforesaid to alter any Road that is already Commodious nor to lay out any Roads through Inclosed, or Improved Lands, without Consent of the Owner or Owners thereof or paying to them the true Value of the Land so laid into an Highway; and if any Dispute shall arise by that means, the same shall be determined, and the true Value

set and Appraised by two Justices of the Peace and by the Oaths of Twelve of the Principal Freeholders of the Neighbourhood, not having any Interest in the Lands, about which such Dispute may Arise; the said Freeholders to be Summoned by the Constable of the Town, Manor or Precinct where such Dispute shall arise, by Virtue of a Warrant to be Issued by the said two Justices for that purpose, and if said Roads by the Commissioners so laid out, shall be Publick Roads, and of Publick and General Benefit, then the value of such Cleared and Improved Lands, through which the said Roads shall be laid out, shall be a Publick County Charge; and the Supervisors of said County, are hereby directed to allow the same, together with the Charges of Calling a Jury, their Verdict, and the whole proceedings thereon had, but if Roads so laid out shall be private Roads and for the particular Conveniency of one or more Districts, Townships or Neighbourhoods, then such Private persons, Townships, Districts or Neighbourhoods Requiring the same, shall defray the whole charge of the Value of the said Cleared or Improved Lands, to be paid to the Person or Persons Injured and through whose Cleared Lands, a Private Road shall be laid, together with the Wages of the Commissioners, the Charge of Calling the Jury and of their Verdict and of the whole proceedings thereon had.

AND be it further Enacted by the same Authority, that if any Person or Persons, within the said County, do or hereafter shall, without the Consent of the Commissioners or the Major part of them, for the Town or place for which they are by this act appointed Commissioners, alter, stop up, or lessen any Highway or Road that has been heretofore laid out, by former Commissioners according to Law, or shall hereafter be laid out by the Commissioners named in this Act, such Person or Persons so Offending, Contrary to the meaning of this act, shall for every such Offence, forfeit the sum of Forty shillings, to be Recovered before any Justice of the Peace, upon Oath of any one witness, and levied by warrant from any Justice of the Peace directed to the Constable of the Town or place where such Offence is Committed, by Distraining the Goods and Chattles of the Offenders, and the said Constable after six days publick Notice is given by him of selling the said Distress shall make sale thereof, and out of the produce pay the said Forfeiture and Charges and Return the Overplus, if any there be, to the owner or owners; which said

Forfeiture of Forty shillings, shall be applied by the Surveyor of the Highways, for and towards Repairing the Publick Roads and Bridges within the Town or Precinct where such Forfeiture shall arise.

AND BE IT ENACTED by the same Authority, that all Publick Roads that shall be laid out by the Commissioners, shall be of the breadth of Four Rods except through Meadow or Improved Lands

AND BE IT FURTHER ENACTED by the authority aforesaid, that if any Common Publick Road or Highway shall be laid through any Meadows Improved Ground or Corn Fields, the Breadth of the said Road shall be left to the Discretion of the Commissioners or the Major part of them, for THE Town or Precinct where such Road shall run as aforesaid PROVIDED the Breadth of such Road shall not be less than Twenty feet

AND BE IT FURTHER ENACTED by the said Authority, That the Inhabitants of the Respective Towns or Precincts, by and through which any Common Publick Highways or Roads Have or shall Run or be hereafter ascertained or laid out, shall be and hereby are Obligated to Clear and maintain the same by making Bridges and Causeways and also Cutting and stubbing up the Brush, and lopping off the Limbs of the Trees that hang over the said Roads, the Breadth of two Rods, and pulling up the Stones that can be moved, and to carry them out of the Roads at least the Breadth of one Rod, and so often as they or any of them shall have Notice from any of the respective Commissioners Surveyors or Overseers of the Highway's, for the time being, they shall in their turns, either by themselves or by able Slaves or Servants, Clear, level and amend the Highways, not exceeding six days in the year, under the penalty of three shillings for each day, every Person or Persons shall Neglect or Refuse such Service, to be levied by the Constable in each Town or Precinct by Distress and sale of such offenders Goods and Chattles by Warrant from the Overseers or Surveyors of the High Ways for the time being, in each respective Town or Precinct where such Offence shall be Committed Returning the Overplus of such sale (if any be) to the Owner or Owners, the Constable being first paid for his pains and Trouble, out of the Distress and sale as is usual in other Cases. PROVIDED ALWAYS AND IT IS HEREBY FURTHER ENACTED by the Authority aforesaid that all Trees standing or lying in any Per-

sons Land through which any Common Publick Highway or Road is or shall be laid out, be for the proper use of the Owner or Owners of the same But the Owners shall not hinder the Surveyor or Surveyors of the Highways from making use of so much Timber, standing or lying on that Road, as will amend the said Highway or Bridges leading through that Land.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if the Overseers of the Highways and Roads shall think fit and have Occasion of any Team Cart or Waggon and a Man to manage the same, the said Team Cart or Waggon shall be esteemed to be for, in lieu, and Instead of two days work of one Man, and the fine to be proportionable, that is Double to the Fine to be imposed for the Neglect of one Person, and every working Man shall be obliged to bring such Tools as Spades, axes, Crows, Pick axes, or other Utensils as shall be Directed by the Overseers of the Highways.

AND BE IT FURTHER ENACTED by the Authority aforesaid that all the Fines or Forfeitures that shall or may arise within any of the Towns or Precincts within said County by any Person or Persons by Neglecting or Refusing to work or set to work to Clear and Repair the Kings Highways or Publick Roads that all such Fine or Fines Recovered by the Overseers of the Highways or Publick Roads shall be Applied to amend and Repair the Kings Highways or Publick Roads and not otherwise, and if any Overseer or Overseers of the Highways or Publick Roads, Do apply It any otherways than is hereby Directed shall forfeit the sum of Forty shillings for every Offence to be sued for by any person before any one Justice of the Peace within said County, and Recover the same with Costs of Suit, the one half of the fine to him or them who shall sue for the same and the other half to keep the Kings Highways or Publick Roads in Repair, and every Overseer or Overseers of the Kings Highways or Publick Roads within said County shall yearly and every year render a true Account to his Successor before any one Justice of the Peace or Supervisors, what fines have arisen and come to his hands and how applied, and if any still remain in his hands unapplied he shall deliver it to his Successor who is to apply the same as is herein before directed.

AND BE IT ENACTED by the Authority aforesaid that there shall be laid out a Road along the West side of Hudsons River in the most Convenient place from the South bounds of the New



Paltz Patent to the North bounds of said Patent, and the Inhabitants living within, three Miles westward from said Hudsons River, are to Clear up the said Road and make Bridges and Causeways and keep it in Repair from year to year fit for Carriages and Travellers, and they shall be subject to the like fines, Rules, Regulations and Restrictions, as any other of the Inhabitants of any other Towns or Precincts within said County.

AND BE IT FURTHER ENACTED by the Authority aforesaid, That if any of the Commissioners herein appointed, shall neglect Refuse or delay to put the several Clauses in Execution which are mentioned and expressed as their Duty in this Act, if thereunto Required or shall happen to die, Remove out of the Town or Precinct for which he or they is or are appointed Commissioners, it shall and may then be lawful for the Freeholders and Inhabitants of any such Town or Precinct where it may so happen to Chuse and Elect at their annual Election, by Plurality of Voices in his or their stead another Commissioner or Commissioners in such place or Places where such Refusal, Neglect, Death or Removal shall so happen, and the Name or Names shall be Transmitted by the Constable of such Town or Precinct, where it shall so happen, to the Clerk of the Peace for said County, and the Commissioner or Commissioners so Elected shall be under the same Restrictions, and have the same Powers and authorities, as those named and appointed by this Act

AND BE IT ENACTED by the authority aforesaid, that the Commissioners of each respective Town or Precinct, for which they are respectively appointed or Elected shall from time to time during the Continuance of this act, enter in writing all Highways or Roads by them laid out, altered or stopp'd up, and sign the same, by putting their Names thereto, and Cause the same to be entered in the County Records by the Clerk of the Peace, who is hereby directed and Required to Record the same, and whatsoever the said Commissioners shall do according to the powers given them by this act, being so entered in the County Records shall be deemed valid and Good to all intents and purposes whatsoever.

AND BE IT ENACTED by the Authority aforesaid that each Commissioner appointed or hereafter to be Elected by virtue of this act shall have and Receive a sum not Exceeding six shillings each day, as a Reward for his or their Care and Trouble in laying out or Regulating the Highways in the Respective Towns or Precincts for which they are severally appointed

## LAWS OF THE COLONY OF NEW YORK.

And be It Enacted by the same Authority that upon the Ordering of any one or more of the Justices of the Peace or any one or more of the Commissioners within the Town or Precinct for which he or they are appointed as aforesaid, the Surveyor or Surveyors of the Town or Precinct, shall within Four days thereafter, warn and set to work the respective Inhabitants to mend and Repair THE Kings Roads and Bridges which by Law and Custom they are Obligated to Repair, and if any of the Surveyors shall Neglect or refuse to warn and set to work the Inhabitants as aforesaid, and see the said Roads, Bridges and Highways ammended and Repaired, such Surveyor or Surveyors shall for every such Neglect or Refusal forfeit and pay a fine of Forty shillings to be adjudged by and Recovered before any one of his Majesty's Justices of the Peace for said County upon the Oath of any one Witness, or on the View of any one of the Commissioners, within his or their District, in the Common and usual method, which Fine shall be Applied towards Repairing the said Highways in such Town or Precinct wherein the same did arise.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that all Waggon's which shall be used in any of the Highways in the County of Ulster shall be so made, that the space between the Rut or Track which they shall make, shall be, from the outside of the one Wheel to the outside of the other Wheel (and the said wheels must stand abreast on the Axle Tree) Four foot ten Inches English measure and no more or less, upon Penalty of Twenty shillings Current money of this Colony; to be Recovered before any one of his Majesty's Justices of the Peace, where the Fact shall happen to be Committed, at the Suit, and to the Profit of him or them that shall inform and sue for the same PROVIDED that all Persons Subjected by this act to any of the Penalties or Forfeitures on Default therein mentioned, shall be legally Summoned to appear and be heard, before Judgment given

WHEREAS there are many Creeks or Rivers which run through several Townships and Precincts in said County which the Kings Highways are laid through or across.

BE IT ENACTED by the authority aforesaid that the Freeholders and Inhabitants of such Town or Precinct where any such Creek or River runs through which must be forded, shall be obliged to fill up and level the Ford or Fords, and shall keep the said Ford or Fords in repair, as well as any other part of the

Kings Highways in any of the Towns or Precincts, any Law usage or Custom to the Contrary in any ways notwithstanding

AND WHEREAS there are several Persons Inhabiting at some distance from the Kings Highways and Can't come to it without crossing some Lots of Land belonging to other Persons and others that have Lands lying Remote from any Highway, that the Owner thereof cannot come to it without crossing other Persons Lands.

BE IT ENACTED by the Authority aforesaid that where such Road or Roads are wanted and Required the Commissioners for any of the Towns or Precincts are hereby Impowered and Directed upon Request of any Person or Persons who Require any such Road or Roads, to take a view of the Land where a Road is Required to be laid out, and if the Commissioners Judge it Necessary they are then to lay it out where it shall be to the least Damage of the owner or owners of the Lands over which the Road shall be laid (and the Commissioners are to allow the owner or owners to Hang Good and sufficient swinging Gates) and the value of the Land so laid out into a Road shall be paid by the Person or Persons who Require such Road to be laid out over and across other Person or Persons Lands, and if any Dispute should arise about the value of the Lands where such Road shall be Laid out, that then and in such Case the true value shall be set and appraised by TWO Justices of the Peace and by the oaths of Twelve of the Principal Freeholders of the Neighbourhood, not having any Interest in the Lands about which such Dispute may arise, and the said Freeholders to be summoned and the whole Proceeding thereon shall be in the same manner before herein Directed by this act, ALWAYS PROVIDED that the Person or Persons through whose Land the said Road shall be so laid out his Heirs or Assigns shall not be debarred from Crossing or using said Road.

BE IT FURTHER ENACTED by the Authority aforesaid that when the Inhabitants of a small Neighbourhood shall desire to have a Publick Road laid out, the Commissioners aforesaid shall not be allowed to lay out such and so many Roads as the said Inhabitants may be desirous to have, but only one Publick way leading from such Neighbourhood to the nearest Publick way or Landing place, from whence they can Travel or Transport Goods to Other Towns, Precincts Mills, or landing places: And where it shall be necessary to lay out a Road from one District, as they

are in this act Joined, to another District, the Commissioners of both Towns, or Precincts, or Places, are to meet together, and Consult where such Road can be laid in the best and Straightest manner, and to lay out the same accordingly, to the End such Roads may not only Correspond with each other, but be laid out and carried on, in the most Convenient and shortest manner the Nature of the Land will allow.

AND BE IT FURTHER ENACTED by the same Authority that It shall and may be lawful for any Person or Persons to hang good easy Swinging Gates in the said County, on such High roads and Private ways, as the Commissioners or the greater Number of them, shall think fitting, such Person or Persons keeping the same in good and sufficient Repair, at their own Costs and Charges.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Commissioners appointed by virtue of this Act for the Township of the New Paltz and the Neighbourhood thereunto annexed, are hereby fully impowered to take a Review of the Swinging Gates on the Publick Roads, that lead through any of the Improved Lands or Cornfields of the Freeholders and Inhabitants of the said Township of the New Paltz, and the Neighbourhood thereunto annexed: and if the said Commissioners or the Major part of them, shall judge it Necessary to remove any or all of the said Gates to any other place or places, on the Roads, where the said Gates may be more Conveniently placed, as well for Travellers, as for the making their Circular Fences, the said Commissioners are hereby Impowered and authorized to Remove the same accordingly: and if any Person or Persons, that shall at any time during the Continuance of this act, pass or Repass through any Swinging Gate or Gates that shall be allowed by the said Commissioners, and shall not shut the same, shall for every such Neglect or Offence forfeit the sum of Twenty shillings to be Recovered before any one of his Majesty's Justices of the Peace for said County, in the same manner as other Fines are directed to be recovered by this Act.

BE IT ENACTED by the Authority aforesaid that this act shall be and remain in Force from the first Day of January One thousand seven hundred and sixty six, to the first day of January One thousand Seven hundred and Seventy six.

## [CHAPTER 1288.]

[Chapter 1288 of Van Schaack, where the title only is printed.]

An Act to Enable the Supervisors of Ulster County to Raise a sum not exceeding One hundred Pounds to Repair the County House and Goals, and also for altering and Compleating the Court House.

[Passed, December 23, 1765.]

WHEREAS the County House and Goals are in want of Repair; and the Justices of the Peace for said County have Ordered and Directed the Court House to be altered and compleated, and they stand Engaged for the payment of what is or shall be Expended by altering and Compleating the same, in Expectation that the charge thereof shall be Defrayed by the said County

BE IT ENACTED by his Excellency the Governor, the Council, and the General Assembly, and it is Hereby Enacted by the Authority of the same, That the Supervisors of the said County of Ulster, shall, and they are hereby Directed and Required, to Order to be Assessed, Levied and Collected, of and from the several Freeholders and Inhabitants within said County of Ulster, a sum not Exceeding One hundred Pounds, over and above the Annual County Charge, and shall be Assessed, Levied, Collected, and paid in the same manner as the other necessary and Contingent Charges of the said County usually are, and shall be paid out again by the County Treasurer, into the Hands of such Person or Persons as the Justices of the Peace for said County or the Major part of them shall appoint as managers to alter and Compleat the Court House, and to Repair the County House and Goals.

AND of the due disposition of the said sum Raised by the Supervisors of said County the said Managers so appointed shall render a true account upon Oath when thereunto required, by any one of the Judges of the Court of Common Pleas for said County, with the assistance of any three or more Justices of the Peace.



## [CHAPTER 1289.]

[Chapter 1289 of Van Schaack, where the title only is printed. Continued by chapter 1314. Expired January 1, 1772.]

**An Act for the more Equal Taxation of Estates in Orange County.**

[Passed, December 23, 1765.]

**FORASMUCH** as the method heretofore Practised for the Taxation of Estates in the County of Orange hath not been in that due Equal and just Proportion as it is Conceived it might be; and as Justice and Equity demand that all the Freeholders and Inhabitants thereof should be Rated and Taxed in due proportion to the Estates they enjoy.

**BE IT THEREFORE ENACTED** by his Excellency the Governor, the Council and the General Assembly and it is hereby Enacted by the authority of the same. That the Assessors of each Town or Precinct within the said County of Orange which shall be Chosen at their next Annual Town meetings shall take an Oath before one of his Majesty's Justices of the Peace for the said County in the words following (to wit).

I, A. B. do Solemnly and sincerely swear that I will well and truly Equally and Impartially according to the Best of my skill Knowledge and Judgment assess every part of the Real Estate (wood Lands only Excepted) and also every part of the Personal Estate of every Person within the Town or Precinct for which I am Chosen Assessor, and of all such as have Estates therein and do not reside there, so help me God.

And then the said Assessors as soon as they Conveniently can shall proceed in making an Assessment of the respective Town or Precinct for which they shall be so Chosen and shall make out an Exact List of the names of every Freeholder and Inhabitant Residing within the said Respective Towns or Precincts and against the Name of every such Person shall set down the true value of his or her Real and Personal Estate within such Town or Precinct as near as it can be discovered. Which Lists shall by the Assessors of each Respective Town or Precinct be Delivered'd to the Supervisors of the said County or unto their Clerk on or before the first Tuesday in June next

**AND BE IT FURTHER ENACTED** by the Authority aforesaid that the Supervisors of the said County shall at their Annual

Meeting in the Month of June next Examine and Exactly Compute what each pound of the sum Total of all the Assessment Lists so brought in as aforesaid is or ought to be Charged with of the sum or sums there to be raised on the said County, which having found they shall then add in every of the said Lists over against each Persons Name and the sum at which his or her Estate is Assessed as aforesaid the particular sum which his or her Estate is rated at or Charged with of what is then to be Raised on the said County adding thereto at what rate per pound the Computation is made, which being done the said Supervisors shall Transmitt the said Lists so Completed Unto the respective Collectors of the respective Towns and Precincts from which the said Lists were brought, with Warrants under their or the Major part of their Hands and Seals thereto annexed, Commanding the said Collectors respectively to Collect of and from all and every the Person and Persons Contained in the said Lists their Executors or administrators the several and respective sums which their respective Estates are thereby Charged with or Rated at with Power to Distrain for the same in case any Person or Persons shall refuse or Neglect to pay what their Estates are so Rated at or Charged with and directing the said Collectors to pay all the said sum or sums of Money so Collected according to the directions of the Several act or acts by which the same are or may be laid on the said County, any thing Contained in any of the Acts of this Colony, to the Contrary, hereof Notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any Assessor or Assessors who shall be Chosen and Elected at the next annual Town meetings, shall either refuse to take the Charge upon him or them or having accepted the same shall neglect his or their duty therein, each Assessor so refusing or Neglecting shall respectively forfeit the sum of Ten pounds, to be recovered by the Supervisor of the respective Town or Precinct where such refusal or Neglect shall be made, with full Costs of Suit before any one of his Majesty's Justices of the Peace for the said County and in Case either of the Assessors who shall be Chosen and Elected for either of the Towns or Precincts within the said County as aforesaid shall happen to die before the duty required of him or them by this act shall be performed, or shall refuse or neglect to perform the same, then the Assessment List or lists made according to the direction of this act by

the other Assessor or Assessors who shall be Chosen and Elected for such Town or Precinct shall be as good and Effectual as if all the Assessors chosen and Elected for such Town or Precinct had Joined therein.

AND BE IT FURTHER ENACTED by the authority aforesaid That the said Assessors as a Reward for their Labour shall each receive four Shillings for every Day they shall be necessarily employed in the Duty required of them by this act, to be raised levied and paid in the same manner as the other Contingent Charges of the said County are and, each Town and Precinct to pay their own Assessors.

AND BE IT FURTHER ENACTED by the authority aforesaid that if any Assessor or Assessors shall knowingly and willingly Assess any Person more or less than he ought to do by virtue of this act every such Offender shall for every such Offence forfeit the sum of One hundred pounds to be recovered in any Court of Record within this Colony with full Costs of suit, and the Supervisors of the said County for the time being, are hereby ordered directed and Required to sue for the said Forfeiture or Forfeitures in their own names and when recovered to deliver two thirds thereof to the Overseers of the Poor of the said County to be equally divided between the Respective Towns and Precincts therein. And the remaining third the Supervisors are to have for their Care and Trouble in the Carrying on such Suit or Suits

This act to be in force for one year.

#### [CHAPTER 1290.]

[Chapter 1290 of Van Schaack, where the act is printed in full Amended by chapters 1455 and 1502.]

An Act for the better laying out, Regulating and keeping in Repair Common Publick and Private Highways on the North side of the Highlands in the County of Orange.

[Passed, December 23, 1765.]

WHEREAS the keeping in good Repair Publick Roads and highways contributes greatly to the Ease and advantage of the Inhabitants of a Country.

BE it therefore Enacted by this Excellency the Governor the Council and the General Assembly, And it is hereby Enacted by

the Authority of the same, That from and after the Publication of this act the Freeholders and Inhabitants of the Precincts of Goshen and Cornwall shall be and hereby are authorized at their Annual Town meetings for Electing Town Officers to Chuse and Elect at the same time Three Freeholders in each Precinct for Commissioners to lay out and Regulate Highways in the Precinct for which they shall be so Chosen and also as many Overseers of the Highways in each Precinct as there shall be Districts in the said Precincts, who are to oversee Repair and keep in Order the several Highways within the respective Districts for which they shall be Elected and Chosen as aforesaid. And the Persons so to be Chosen Commissioners as well as those who are to be overseers are hereby required to take those several Offices respectively upon them.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Commissioners or the Major part of them in the respective Precincts for which they shall be Chosen Commissioners are hereby Impowered and Authorized to regulate the Roads already laid out, and if any of them shall appear Inconvenient and an alteration absolutely necessary and the same be Certified upon oath by Twelve Principal Freeholders of the said County, the Commissioners may, Provided they all Judge it absolutely necessary alter the same and lay out such other Publick Highways and Roads as they or the Major part of them shall think most Convenient as well for Travellers as for the Inhabitants of each Precinct and the next Adjacent Towns Villages and Neighbourhoods. PROVIDED that nothing in this act contained shall Extend or be Construed to Impower the Commissioners aforesaid to alter any Roads that are already commodious, neither shall they lay out any Roads through any Persons Lands without the Consent of the Owner or Owners thereof, or paying to him or them the true Value of the Lands so to be laid out into an highway or Road, with such Damages as he may sustain by said Road. And if any Dispute shall arise respecting the value of the Land and the amount of the Damages the owner may sustain by such Road the same shall be Determined and the true value set and appraised by two Justices of the Peace and by the Oaths of Twelve principal Freeholders, not having any Interest in the Land concerning which such dispute may arise, which Freeholders may be Summoned by the High Sherif his Deputy or any Constable of the County of Orange by Virtue of a Warrant to

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be issued by the said two Justices for that purpose. And if any Road within the said Two Precincts so laid out be a Common Publick Highway and the same be laid out at the Request of Twelve principal Freeholders of the County, then the whole Charge of the value of the said Lands together with the Charge of the Commissioners and Calling and Charge of the Jury and the whole proceeding thereon had shall be paid as the other Contingent Charges of the County are paid and the highway so laid out shall be a Common publick Highway. Provided always that no Road or highway shall be laid through any Garden without the Consent of the Owner or Owners thereof

AND BE IT FURTHER ENACTED that the Commissioners to be Chosen by Virtue of this act shall before they Execute any of the Powers therein contained take an oath upon the Holy Evangelists in the words following to wit.

I A. B. do Solemnly swear that I will faithfully and Impartially execute the Powers to me given and granted by an act Entituled An Act for the better laying out regulating and keeping in Repair Common Publick and Private Highways on the North side of the Highlands in the County of Orange according to the best of my skill and understanding. so help me God.

AND BE IT FURTHER ENACTED by the authority aforesaid, That if any Person or Persons within the said two Precincts do or here after shall alter stop up or Encroach on any Highway or Road that has been heretofore laid out by former Commissioners or shall be hereafter laid out by the Commissioners to be Elected and Chosen by virtue of this act such Person so Offending contrary to the meaning of this act shall for every such Offence forfeit the sum of forty Shillings to be recovered before any one Justice of the Peace directed to the Constable of the precinct where such Offence shall be committed by Distraining the Goods and Chattles of the Offender and the said Constable after publick Notice is given by him of the selling the said Distress shall make sale thereof and out of the produce pay the said forfeiture and Charges and return the overpluss, if any there be, to the Owner or Owners: which said Forfeiture of Forty shillings shall be applied by the Commissioners for and towards Repairing the Publick Roads or highways within the Precinct where such Forfeiture shall arise.

AND BE IT ENACTED by the Authority aforesaid that the Width of all the Roads in the said Precincts hereafter to be laid



out, shall be left to the discretion of the Commissioners for the time being of the Precinct in which such Road may be laid out, so that they do not exceed the breadth of four Rods and not less than Twenty feet.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Roads and Highways within the said Precincts shall be Cleared repaired and maintained by the Freeholders and Inhabitants hereafter made liable to work upon the same, and that as often as they or any of them shall have Notice from the Overseer for the time being of the District to which they belong not Exceeding five days in a year

AND to prevent all manner of Disputes that may arise respecting the Persons who are Obligated by this act to work upon the Highways BE IT ENACTED by the Authority aforesaid that every Freeholder within the said Precincts and also every male Inhabitant between the ages of Twenty one years and Sixty years, shall either in Person or by an able sufficient Man in his Room be Obligated to work upon the Highways

AND BE IT FURTHER ENACTED by the Authority aforesaid, that every Person who may be liable by this Act to work on highways shall work faithfully Eight Hours at the least in every day, and in order that the good effects intended by this act may not under any pretence be eluded.

BE IT FURTHER ENACTED by the Authority aforesaid that every overseer in each Precinct shall keep a list of the Persons within his District, who by this act are obliged to work upon the Highways and shall keep an exact account of the time that every such person shall have worked, and for every hour which any Person shall not work he shall forfeit and pay the sum of six pence to the Overseer of the District to which he doth belong and in Case the same is not paid within Eight days after such Default, It shall be recovered and applied in the manner hereafter mentioned.

AND BE IT FURTHER ENACTED that every Overseer in each Precinct shall on the first Monday of April in every year deliver under Oath to one or more of the Commissioners of the Precinct to which he doth belong an account of the Labour done on the highways within his District and of the several sums of Money forfeited for not working, which account shall Contain, 1st the Names of all the Persons within his District which by this act shall be Obligated to work on the highways, 2dly the Number of Days that each Person shall have worked, and the time when,

and the Number of Hours in each Day, and whether by himself or by a Person sent in his Room, and the Name of such Person that may be sent; 3dly the several sums of Money which he hath received for forfeitures, and from whom, and in what manner he hath laid out the same.

AND BE IT FURTHER ENACTED by the authority aforesaid, That every overseer shall pay Sixpence for every Hour that each person within his District shall not have worked agreeable to the Directions of this act, after deducting the several sums of Money which he hath Received for forfeitures and applied as before is directed, and after deducting the amount of the several sums forfeited for which he hath issued his Warrant pursuant to this Act

AND BE IT FURTHER ENACTED by the Authority aforesaid, That every Freeholder and Inhabitant who by this act shall be Obligated to work on Highways shall work at least three Days between the first day of April and the first day of July in every year, and the Overseers are to give Notice to the Freeholders and Inhabitants of their respective Districts accordingly under the Penalty hereafter mentioned.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Bridges and Cossways hereafter particularly mentioned shall be made and kept in Repair by a Publick Tax upon the said Precincts, and all other Bridges and Cossways in the Precinct of Goshen which the Commissioners of Goshen or the Major part of them for the time being, shall think proper shall be made and kept in Repair by a Publick Tax. AND all other Bridges and Cossways in the Precinct of Cornwall which the Commissioners of Cornwall or the Major part of them shall think proper shall also be made and kept in Repair by a Publick Tax; AND THE Commissioners for the time being for each Precinct are directed and Required to have as well the Bridges and Cossways particularly mentioned herein that are within their respective Precincts as those which shall be thought proper by the Commissioners of each Respective Precinct to be made and kept in Repair, well and sufficiently made and kept in Repair. And the accounts of the Expenses for doing the same shall be transmitted to the Supervisors of the said County of Orange at their annual Meeting who are hereby directed and required to divide the whole amount of the Expenses of both Precincts, between the said Precincts in the same Proportion as the County Charges for

the time being shall be divided between the said Precincts, AND the said Expences shall be raised with the County Tax and in the same manner, and shall be paid by the County Treasurer to the respective Commissioners upon a Warrant or Warrants from the Supervisors as in other Cases; And in as much as it may frequently happen that the Commissioners or some of them will be Obligated to advance money towards making and repairing OF Bridges and Cossways the Supervisors are hereby Required in the making up the amount of the Expences to allow Lawful Interest for any Money that may be advanced from the time of the Advancing it to the time the same is to be repaid by the County Treasurer.

AND BE IT FURTHER ENACTED that the Bridges and Cossways herein before referred to which are to be made and kept in repair by a Publick Tax are the following, to wit, one Bridge and Cossway near the House of Zachariah Dubois, one other Bridge and Cossway near Richard Goldsmiths, one other Bridge and Cossway near Stephen Gilberts, one other Bridge or Cossway near Benjamin Tusteens, one other Bridge and Cossway across Poehhuck Creek where the old Bridge now Stands, one other Bridge and Cossway near Warwick meeting House, one other Bridge and Cossway near Gray Court, one other Bridge and Cossway near Curtice Colmans, one other Bridge and Cossway over Murderers Creek near Cornwall, one other Bridge and Cossway upon Schunimuck Creek near Mr Smiths Mill and one other Bridge on said Creek called Coal house Bridge, one other Bridge and Cossway near the Widow Tuttle, one other Bridge and Cossway near John Carpenters Mill, one other Bridge and Cossway near the house of Daniel Denton, and one other Bridge and Cossway near the House of Henry Case And one other Bridge and Causeway over Murderers Creek, near the House of John McLean

AND BE IT FURTHER ENACTED by the Authority aforesaid that Benjamin Tusteen and William Thompson Esquires and Mr Thomas Willing are hereby directed and required by the first day of April next to divide the said Precinct of Goshen into as many Districts as they shall think proper, and the Freeholders and Inhabitants of the said Precinct shall at their next Annual Town meeting chuse one Overseer for each District.

AND BE IT FURTHER ENACTED that Messrs John Brewster & Zachariah Dubois, and David Smith Esquire, shall also

by the first day of April next divide the said Precinct of Cornwall into as many Districts as they shall think proper, and the Freeholders and Inhabitants of the said Precinct of Cornwall at their next Annual Town meeting shall chuse one Overseer for each District. And in Case of the Death Absence or Refusal of any Overseer, another shall be appointed in his stead by the next Commissioner to the District where such Death Absence or Refusal may happen, and the Overseer so Appointed shall be under the same Circumstances in every respect as if he had been Chosen by the Freeholders and Inhabitants at an annual Town meeting.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Commissioners for the time being for each Precinct may at any time after the first day of June next and that once in every year divide their respective Presincts into as many Districts as they or the Major part of them shall think most Convenient and the Freeholders and Inhabitants at their next Annual Town meeting after such Division shall Chuse as many Overseers as there shall then be Districts.

AND BE IT FURTHER ENACTED by the Authority aforesaid that all forfeitures which shall Arise by any Persons not working on the Roads or highways agreeable to the directions of this act shall be recovered (with five shillings Costs) by warrant under the Hand and Seal of the Overseer of the District where such forfeiture shall arise, to be directed to any Constable within the said Precinct, who is to seize and sell (as is usual in other Cases) the Offenders Goods and Chattles, and after paying the forfeiture to the said Overseer, with two shillings for issuing the Warrant, the Constable shall retain three shillings for his Services, and all forfeitures which shall be paid to the said Overseer in the manner aforesaid, and also every sum of money which he may receive from any Person for not working on the Publiek Roads or highways, shall be by him well and faithfully laid out in mending and repairing the Roads and highways within his District.

AND BE IT FURTHER ENACTED by the Authority aforesaid that every Overseer within the said Precincts who shall not give Notice to the Persons within his District who are Obliged to work on highways to work at least three Days between the said first day of April and the first day of July in every year shall forfeit the sum of Ten pounds with usual Charges in the recovery

of the same and the Commissioners for the time being of the Precinct where such forfeiture shall arise are hereby Ordered and required to issue their Warrant to any Constable for the Recovery of the said Penalty, who is Ordered to take and sell the Offenders Goods and Chattles as is usual in other Cases, and the Commissioners shall lay out the said Ten Pounds in repairing the Roads within the District where such forfeiture shall arise. And in Case any Overseer shall refuse or neglect to deliver an account on the first Monday in April in every year as is herein before directed he shall forfeit the sum of Twenty Pounds with usual Charges in recovering the same, and the Commissioners for the Precinct in which such forfeiture may arise, are hereby Ordered to issue their Warrant for the same, and to Recover and apply it in the like manner as the last mentioned Penalty of Ten pounds

AND BE IT FURTHER ENACTED by the Authority aforesaid that all Trees that stand in any Highway which has or shall be laid out through any Persons Land shall belong to the owner or owners thereof; but the said Owner shall not hinder the Publick from making use of so much Timber which is standing or lying on the Road, as will amend and Repair the same.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that if any Overseers shall think fit and have occasion of any Teams Carts or Waggon, and a man to manage the same, the said Team Cart or Waggon with the Person to manage the same shall be Esteemed for and in Lieu of three days Work of a single Man, and the fine to be proportionably, that is, Treble to the fine of a single Person, and every working Man shall be obliged to bring such utensils as he is Directed to bring by the overseer of his District.

AND BE IT ENACTED by the Authority aforesaid that the Commissioners of each Precinct for which they are Chosen and Elected shall from time to time enter in writing all the Highways or Roads laid out or altered and sign the same by putting their Names thereto and Cause the same to be entered into their Town Book, and whatsoever the Commissioners shall do according to the Powers given them in this Act being so entered into their Town Book shall be Valid and Good to all intents and purposes whatsoever.

AND BE IT FURTHER ENACTED by the Authority aforesaid that each Commissioner shall have take and Receive a sum



not exceeding six shillings each for every Day as a Reward for his Care and Trouble in doing the Business required by this Act and they shall Transmit their accounts to the Supervisors of the County of Orange at their Annual meetings. And the Supervisors shall add so much as they find the Commissioners of each Precinct have a right to Claim to the Quota of such Precinct from whence such accounts shall be brought, and shall raise the same with the County Tax which shall be paid by the County Treasurer to the Commissioners upon a Warrant from the Supervisors as in other Cases Except where the Commissioners are paid by Private persons as before directed.

AND BE IT FURTHER ENACTED by the Authority aforesaid that any one of his Majesty's Justices of the Peace for the time being in the County of Orange or any one Commissioner for the time being may Order any Overseer to work upon any Road or Highway that he shall think necessary and such overseer shall within Eight days thereafter warn and set to work the Persons of his District who are Obligated to work on highways upon that part of the Road or Highway which he shall be so ordered to amend and if any Overseers shall neglect or refuse to warn and set to work the Persons aforesaid of his District to mend such Road or highway as he shall be so Ordered to amend he shall ~~not~~ every such neglect or Refusal pay a Fine of Forty shillings with usual Costs of suit to be adjudged by and Recovered before any one of his Majestys Justices of the Peace for the County of Orange upon the Oath of any one Witness or on the View of such Justice or Commissioner or Confession of the Party in the Common or usual Method, which Fine shall be delivered to one of the Commissioners and applied towards Repairing the said Highways in such place where such Fine may arise.

AND WHEREAS it will be necessary that a Map of the Roads in the said Precincts be made in Order that the Precincts may be divided into Districts, BE IT THEREFORE ENACTED that the said Benjamin Tusteen and John Brewster may Order a Map of the said Roads to be made and the Expence attending the same (provided it shall not exceed five pounds) shall be raised and paid equally between the said Precincts as other Contingent Charges are raised and paid.

AND WHEREAS it may be absolutely necessary to lay out Private Roads within the said Precincts, BE IT THEREFORE ENACTED by the authority aforesaid that upon an application

to the Commissioners of either Precinct for a Private Road, the Commissioners for the Precinct where such Private Road is desired to be laid, shall view the same, and if they are of opinion such Road is absolutely necessary and Twelve principal Freeholders under Oath shall be of the same Opinion the said Commissioners are hereby Impowered to lay out such Road Observing the same steps in ascertaining what shall be paid for the Land as are before directed to be taken in laying out Publick Roads and all the Expences and Charges attending the said Road shall be paid by the Person or Persons applying for the same, and the said Road when laid shall be for the only use of the Person or Persons who shall pay for the same, his and their Heirs and Assigns but for no other use or purpose than that of a Road. Provided always the owner or owners of the Land through which Such Private Road may be laid shall not be prevented from making use of such Road, if he shall signify his Intention of making use of the same at the time when the Jury are to ascertain the value of the Land and the damages by means of laying out of such Road.

AND BE IT FURTHER ENACTED by the Authority afore-said that all Laws heretofore made respecting Roads or highways, so far as they relate to the Precincts of Goshen and Cornwall shall be and hereby are repealed and made Null and Void to all Intents Constructions and Purposes whatsoever

### [CHAPTER 1291.]

[Chapter 1291 of Van Schaack, where the title only is printed. See chapter 1012. Continued by chapter 1458.]

An Act further to Continue an act, Entitled An Act for the better Clearing, Regulating and further laying out Publick Highways in the County of Westchester, with some Alterations.

[Passed, December 23. 1765.]

WHEREAS an act, Entitled an act for the better Clearing regulating and further laying out Publick Highways in the County of Westchester, passed in the Nineteenth year of his late Majesty's Reign will Expire by it's own Limitation on the first day of January One thousand Seven hundred and sixty six, and the same having been found highly usefull,

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same, that the abovementioned Act Entituled An Act for the better Clearing Regulating and further laying out Publick Highways in the County of Westchester shall be and and hereby is continued and every Article, Matter thing and Clause therein Contained Enacted to be and Remain in full force from the Publication hereof until the first day of January which will be in the year of our Lord One thousand Seven hundred and Seventy

AND BE IT FURTHER ENACTED by the authority a~~fore~~ said that the several Persons herein after named to wit

For Westchester and Fordham, Edward Stevenson, James Ferris, and Anthony Bartow Esquires.

For Eastchester Jonathan Fowler, John Townsend, and Edward Burling Esquires

For New Rochelle and Pellham, Jacobus Bleecker, Philip ~~Pell~~ Richard Willis Esquires

For Rye and white Plains Jonathan Brown, Gabriel Lynch, John Thomas Junior Esquires

For Mamaroneck and Searsdale, Benjamin Griffin, Daniel Barker, and Reuben Bloomer Esquires

For Bedford, Zebediah Mills, Abraham Miller, Nehemiah Lownsberry.

For North Castle, Benjamin Smith, Moses Quinby, David Daton Esquires

For Salem, Josiah Gilberts, James Brown, Thaddeus Craue Esquires.

For Manor Cortlandt, Phillp Ver Plank, Pierre Van Cortlandt, Joseph Sherwood Esquire.

For Manor Phillipsburgh William Davids, Gilbert Drake, and Isaac Deane Esquires

For Lower part of the Manor Phillipsburgh Fredrick Phillips, James Van Cortlandt, Benjamin Fowler Esquires. And For Old Pound Ridge, John Crawford, Hezekiah Wood, and Joseph Lockwood Esquires

shall be and hereby are appointed Commissioners to regulate and lay out Highways in the said County for the Places for which they are respectively appointed and shall be and hereby are vested with as full Power and Authority for that end to all Intents, Constructions and purposes whatsoever as if they had

been actually named and appointed in and by the said Act, any thing in the aforesaid act to the Contrary Notwithstanding.

[CHAPTER 1292.]

[Chapter 1292 of Van Schaack, where the title only is printed.]

An Act to raise, levy, and collect the sum of Nineteen pounds and thirteen Shillings due and in arrear from the Inhabitant or Inhabitants of Eatons Neck in Suffolk County.

[Passed, December 23, 1765.]

WHEREAS the Inhabitants of the Patent ship of Eatons Neck in Suffolk County through the misdate of the warrant of the Supervisors of the said County at their meeting on the first Tuesday in January One thousand seven hundred and Sixty four for the raising (among other sums) the sum of Nineteen pounds and thirteen shillings on the Inhabitant or Inhabitants of Eatons Neck aforesaid by Virtue of an act entitled An Act to enable the Supervisors of Suffolk County to raise the sum of three thousand and forty one pounds, Sixteen shillings, and four pence three farthings, due from the said County on the Acts therein mentioned and other Incidental Charges of the said County, passed in the fourth year of his present Majesty's Reign; the Inhabitant or Inhabitants of Eatons Neck aforesaid have Neglected and refused and still do neglect and refuse to pay the aforesaid sum of Nineteen pounds and thirteen shillings due owing and in arrear from the Inhabitant, or Inhabitants of Eatons Neck aforesaid by virtue of the act aforesaid.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby enacted by the authority of the same that it shall and may be lawfull to and for the Supervisors of the said County or the Major part of them, and they are hereby directed and required on the first Tuesday in June next when they shall meet to raise the Taxes of the said County, to add the said sum of Nineteen Pounds and thirteen shillings to the Tax then to be raised on the Inhabitant or Inhabitants of the said Patentship of Eatons Neck and order the same to be raised, levyed collected and paid in the same manner and form and under the same Restrictions and Regulations as is Contained in the before mentioned Act.

## [CHAPTER 1293.]

[Chapter 1293 of Van Schaack, where the title only is printed. See chapter 1297. Continued by chapter 1460.]

An Act further to Continue an Act entitled An Act to restrain the feeding and burning the Grass and cutting the Timber on certain Beeches and Islands therein mentioned.

[Passed December 23, 1765.]

BE IT ENACTED by his Excellency the Governor the Council, and the General Assembly and it is hereby Enacted by the Authority of the same, that the Act aforesaid entitled An Act to restrain the Feeding and burning the Grass, and cutting the Timber on certain Beeches and Islands therein mentioned, passed in the Thirty second Year of the Reign of his late Majesty King George the second, being near expired, shall be and hereby is further continued, and every Clause, Matter and thing therein Contained, enacted to be and remain of force from the first Day of January next, to the first day of January which will be in the Year of our Lord One thousand Seven hundred and Seventy.

## [CHAPTER 1294.]

[Chapter 1294 of Van Schaack, where the title only is printed. See chapter 1296. Expired January 1, 1769. Provided for by chapter 1352.]

An Act to Continue an Act Entitled An Act to raise a fund for defraying Damages done by Dogs in the County of Richmond.

[Passed, December 23, 1765.]

WHEREAS an Act Entitled An Act to Raise a fund for Defraying Damages done by Dogs in the County of Richmond, passed in the fourth year of his Majesty's Reign will Expire by its own Limitation on the first day of January next, and the said act being found to answer the purposes for which it was Intended

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council and the General Assembly and it is hereby Enacted by the authority of the same, that the abovementioned act, Entitled An Act to Raise a fund for defraying Damages done by Dogs in the county of Richmond, shall be and hereby is



Continued; and every Clause article and thing therein Contained Enacted to be and remain in full force to all Intents Constructions and purposes whatsoever, until the first day of January which will be in the year of our Lord One thousand seven hundred and Sixty Nine.

[CHAPTER 1295.]

[Chapter 1295 of Van Schaack, where the act is printed in full.]

An Act for Naturalizing, John Hector St. John, Johannis De Graaf, Elias Gerbeaux, William Musculus, Peter Clump, Hans Jury Merkwat, Johannis Casparus Rubell, Frederick Shurtler, Peter Lombardy, Fredrick Shenigh, John Ram, and John James Abbot.

[Passed, December 23, 1765.]

WHEREAS the abovenamed Persons have by their several Petitions presented to the General Assembly, desired that they may be Naturalized, and become His Majesty's Leige Subjects and Settlers in this Colony.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, That the before mentioned several Persons, and each and every of them, shall be, and hereby are, declared to be Naturalized, to all Intents, Constructions, and purposes whatsoever, and from henceforth, and at all times hereafter, shall be entitled to have and enjoy all the Rights and Liberties, Priviledges and advantages, which his Majesty's Natural born Subjects in this Colony have and enjoy, or ought to have and enjoy, as fully to all Intents and purposes whatsoever as if all and every of them had been born in this Colony.

PROVIDED always, and it is hereby further Enacted by the Authority aforesaid, that all, and every, and each of the above mentioned Persons, shall take the Oaths appointed by Law, instead of the Oaths of allegiance and Supremacy, Subscribe the Test, and make, repeat, swear to, and Subscribe the abjuration Oath, in any of his Majesty's Courts of Record within this Colony: which Oaths the said Courts are hereby required upon application to them made, to administer, take Subscriptions, and cause the Names of the Persons so swearing and Subscribing: to be entered upon Record in the said Courts. AND the said before mentioned Persons are hereby each of them, required to pay the

several sums hereafter mentioned, that is to say; to the Speaker of the General Assembly, the sum of Ten shillings; to the Judge of such Court, the sum of six Shillings: and to the Clerk of such Court, the sum of Three shillings

AND BE IT FURTHER ENACTED by the Authority aforesaid, that if the said Persons, or any of them, having so sworn and Subscribed as aforesaid; shall demand a Certificate of his or their being entered upon Record in the manner herein before directed, the Court or Courts in which such Oaths and Subscriptions shall be made, are hereby directed and Required to Grant such, under the Hand of the Judge, and Seal of the said Court or Courts in which such Oaths and Subscriptions as aforesaid shall be made, Countersigned by the Clerk of the said Courts: For which Certificate each of them shall pay, over and above the sums above mentioned, the sum of six shillings; one half to the Judge of such Court or Courts; and the other Half to the Clerk thereof: which Certificate or Certificates, shall be, at all Times, to the Person or Persons therein named, a sufficient proof of his or their being Naturalized by virtue of this act, in as full and effectual a manner, as if the Record aforesaid was actually produced by the Person or Persons so named in such Certificates.

PROVIDED also, and be it enacted by the Authority aforesaid that such of the Persons hereby Naturalized, as shall not take the Oath, Test, and abjuration, in manner herein before directed, within Twelve Months next after the Publication hereof, shall have no manner of benefit by this Act; any thing herein contained to the Contrary Notwithstanding.

AND BE IT ENACTED by the same Authority, that the Public Printer of this Colony shall, and hereby is directed and required to print this Act, as if the same were a Public act of this Colony.

## TWENTY-NINTH ASSEMBLY.

*Tenth Session.*

(Begun June 11, 1766, 6 George III, Sir Henry Moore, Governor.)]

## [CHAPTER 1296.]

[Chapter 1296 of Van Schaack, where the title only is printed. Van Schaack states that this act was repealed by the king, in council, April 13th, 1767.]

An Act to Furnish the Barracks in the Cities of New York and Albany with Firewood and Candles and the other Necessaries therein mentioned for his Majesty's Forces.

[Passed, July 2, 1766.]

WHEREAS it hath been represented to the General Assembly that it is requisite for his Majesty's Service provision should be made at this time for furnishing the Barracks in the Cities of New York and Albany within this Colony with sundry necessaries for the more Comfortable Reception of his Majesty's Troops that now are or soon may be Quartered in the said Barracks, and the General Assembly being willing to make Provision for the same pray that it may be Enacted.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council, and the General Assembly, and it is hereby Enacted by the authority of the same, that the Mayor Recorder and Aldermen of the Cities of New York and Albany Respectively or such Person or Persons as they or the Major part of them respectively shall appoint, shall as soon as may be after the publication of this Act, Furnish the Barracks in the said Cities with the Necessaries hereafter mentioned, that is to say, For the Officers Rooms each one pair Hand Irons, one pair Tongs, one Fire Shovel, one Table, two Chairs, and one Candlestick, and for every Officer Seventeen shillings sterling for one year in place of Bedding; For every Room for Non Commissioned Officers and Soldiers, each Room to contain fourteen Men, Seven Cribs, Seven Bed cases, Seven Bolsters, to be filled with Straw every three Months, fourteen Blankets, Two Iron Potts, two Trammels, one pair of Tongs, one Fire Shovel, one pair Hand Irons, two Cross-barrs, one Hatchet, one Iron Candlestick, one Table, two Benches, and one Bucket, and with firewood and Candles as follows, for

every Room for Officers; and for every Room for Non Commissioned Officers and Private Men, to contain fourteen Men each, from the first of October to the first of April three eights of a Cord of Wood per Week for each Room, and for five Weeks preceeding the first of October, and five weeks after the first of April, Three Sixteenths of a Cord of wood per week, and for the Sixteen remaining Weeks one Eighth of a Cord of Wood per Week, one pound of Candles per week for the Winter only for each Room, and for the Guard Room in winter Three Candles each Night and in Summer Two Candles each Night of Ten Candles to the pound, Always provided that the provision hereby made doth not exceed the space of one year to commence from the publication hereof, and that the whole Number of Troops in both Cities doth not Exceed two Battalions of Five hundred men each, Officers included, and one Company of Royal Artillery, and also that no Rooms be Supplied with firewood and Candles, or other Necessaries furnished either for Officers or Men but for such as actually reside in the Barracks in either of the Cities of New York or Albany.

AND that the said Mayor Recorder and Aldermen of the said Cities or the Major part of them respectively may be enabled to furnish the several Articles and things by this Act directed. BE IT ENACTED by the same Authority that the Treasurer of this Colony out of the Monies remaining in his Hands by virtue of an act of the Lieutenant Governor, the Council, and the General Assembly, passed the Twentieth day of March One thousand Seven hundred and Sixty two Entituled "An Act directing the Treasurer of this Colony to pay the Commander in Chief of all his Majesty's Forces in North America, the sum of Four thousand Seven hundred and Ninety pounds for his Majesty's Service, to be repaid when his Majesty shall think proper," pay unto the Mayor Recorder and Aldermen of the said Cities of New York and Albany or the Major part of them respectively, or to their respective Orders from time to time such sum and sums of Money as shall be requisite to furnish the several Necessaries aforesaid whose respective Receipts shall be good and sufficient Vouchers to the said Treasurer for such sums of Money as shall be therein Specified.

AND BE IT ENACTED by the same Authority that the Mayor Recorder and Aldermen of the Cities of New York and Albany or the Major part of them respectively shall keep Or Cause to be

Kept Just True and Regular accounts of the Monies by them respectively expended in Consequence of this act, and such accounts shall render on Oath to the Governor the Council and the General Assembly, when by them or either of them thereunto required.

[CHAPTER 1297.]

[Chapter 1297 of Van Schaack, where the title only is printed Van Schaack states that this act was repealed by the king, June 26, 1767.]

An Act for Erecting Certain Lands lying on the West side of Connecticut River within this Colony into a Separate County, to be called by the name of the County of Cumberland and for Enabling the Freeholders and Inhabitants thereof to Erect and Build a Court House and Goal in the said County.

[Passed, July 3, 1766.]

WHEREAS his present Majesty King George the Third by his Royal Order in privy Council, on the Twentieth day of July in the Year of Our Lord One thousand Seven Hundred and Sixty four, Settled and Determined the West Bank of Connecticut River to be the Division Line between the Colony of New Hampshire and this Colony of New York. AND WHEREAS Thomas Chandler and Others Inhabitants of the said Lands by their petition have set forth, That they are Distant at least One hundred and fifty Miles from the City of Albany, as the Road now runs; and that their being Obligated to attend the Courts and publick Elections at the City of Albany, will be very Inconvenient and prejudicial to the Inhabitants and hinder the Growth and Settlement of that part of the Country and therefore prayed that they may be Formed into a New County AND WHEREAS the Erecting a New County in that Remote part of the Colony will Greatly Tend to promote the peace and Good Order of Government and the due Administration of Justice

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, That all and Singular the Lands Situate lying and being on the West Side of Connecticut River aforesaid BEGINNING at the West Bank of the said River Opposite to where the division Line Between the province of New Hampshire and the province of the Massachusetts Bay comes to the aforesaid River, Thence Running on a Direct Line



about Twenty Six miles to the South East Corner of the Township of Stamford, from thence on a Direct Line about Sixty miles to the North East Corner of the Township of Rutland, Thence North thirty one degrees East Eighteen Miles, Thence Easterly to the North West Corner of the Township of Linfield, Thence Easterly along the North side of the Township of Linfield, Sharon and Norwich to Connecticut River aforesaid, Thence along the West Bank of the said River to the place of Beginning shall be Erected; and the said Lands are hereby Erected into a Distinct and Seperate County, named and henceforth to be Called by the name of the County of Cumberland provided always and it is hereby Enacted by the authority aforesaid that if any Lands Lye within the County aforesaid which are held by Grants under the Great Seal of this Colony dated before the Settlement of the division between this Colony and the Colony of New Hampshire by his Majesty in Council on the Twentieth OF July one thousand Seven hundred and Sixty four Such Lands Shall be and Remain within and be part of the County of Albany any thing herein Contained to the Contrary notwithstanding

AND BE IT FURTHER ENACTED by the authority aforesaid, that the Inhabitants of the said County of Cumberland and of the several Towns within the same Shall be Voted with and Entitled unto, all the powers, priviledges, and Authorities and be Subject to the same Laws Regulations and Government which the other Counties and Towns of this Colony are Subject and Intitled unto Excepting only the Choice of members to Represent said County of Cumberland in General Assembly which Liberty is hereby Suspended untill it be otherwise ordered by an Act of the Legislature of this Colony.

AND WHEREAS there is not at present any Goal or Court House within the said County of Cumberland BE IT THEREFORE ENACTED by the authority aforesaid, That it Shall or may be lawfull to and for the supervisors that Shall or may hereafter be appointed within the said County, and they are hereby directed and required, at the Next meeting after their appointment, to raise Levy and Collect of and from the Several Free-holders, Inhabitants and Sojourners within the said County A Sum, not Exceeding the sum of two Hundred pounds to be raised, Levied and Collected in the same manner as the Necessary and Contingent Charges are Raised in any other County within the said Colony.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that the said sum of Two Hundred pounds so to be Raised by Virtue of this Act, Shall from Time to time be paid by the several and respective Collectors, hereafter to be Chosen, unto Such persons as Shall be by the said supervisors, hereafter to be Chosen, or the Major part of them Nominated or Appointed, not more than the Number of three for ordering managing and directing how and in what manner the said Court House and Goal shall be Built and Finished and the said persons so appointed and Nominated are hereby Obligated to Observe the same Accordingly, AND ALSO shall and may from Time to time, Inspect Examine and Audit all Accounts, for Workmanship and Materials to be Employed for and towards Building and Completing the said Court House and Goal before mentioned, and of the Due Disposition of the said Sum of Two hundred pounds or of so much thereof as shall come to their Hands, they the said persons so appointed, as aforesaid Shall render a True account upon Oath unto the said Supervisors when thereunto required.

AND IT IS ALSO HEREBY ENACTED by the Authority Aforesaid, that the said Court House and Goal Shall be Erected and Built within the Township of Chester within the said County, it being the most Convenient Township for that purpose and nearest the Center of the said County; AND that the milage of the sheriff of the same County be Computed from the said Court House

BE IT ALSO ENACTED by the Authority Aforesaid, That it shall and may be lawful to and for the Freeholders and Inhabitants of the said County of Cumberland to Elect and Chuse Supervisors, Assessors Collectors, Treasurer and Other County Officers in the same manner as they are Elected AND Chosen in the Other Counties within this Colony and at the Times mentioned in an Act passed the Nineteenth of June One thousand Seven hundred and three Intituled an act for the better Explaining and more Effectual putting in Execution an act of General Assembly made in the third Year of the Reign of their late Majesties King William and Queen Mary Intituled an act for Defraying of the publike and Necessary Charge throughout this province, and for Maintaining the poor and preventing vagabonds, AND that the said supervisors assessors Collectors Treasurer and Other County Officers, so to be Elected and Chosen shall and are hereby Vested with all the Rights and powers, and

subject to all the Laws which the supervisors, assessors, Collectors Treasurers and Other County Officers, within this Colony are Vested with, and subject to by the Laws of this Colony and that the public and Necessary Charges of the said County shall be raised and Defrayed in the same manner with the publick and Necessary Charges of the Other Counties of this Colony.

[CHAPTER 1298.]

[Chapter 1298 of Van Schaack, where the act is printed in full.]

An Act to make it Felony without Benefit of Clergy to counterfeit the Bills of Credit of any of his Majesty's Colonies, which pass in Payment in the Colony of New York.

[Passed, July 3, 1764.]

WHEREAS many evil disposed and wicked Persons have lately counterfeited, and circulated in this Colony, large Parcels of Bills, in Imitation of the true Bills of Credit struck emitted and Issued in the Colony of New Jersey; and have passed the same as good and true Bills of Credit; to the great Hurt and Damage of his Majesty's Subjects of this Colony. For prevention whereof and other the like Mischiefs for the future.

BE IT ENACTED by his Excellency the Governor, the Council and the General Assembly, And it is hereby enacted by the authority of the same, That If any Person or Persons shall hereafter counterfeit any the true Bill or Bills of Credit now or which shall hereafter be Struck emitted and issued in the said Colony of New Jersey; or the Bill or Bills of Credit now or hereafter to be Struck emitted and issued in any other of his Majesty's Colonies, or shall alter any the said Bills of Credit, so that they shall appear to be of greater Value than the same by the Law of such respective Colony, are shall or may be intended to pass for; or shall pass or give in payment any such counterfeit or altered Bill as aforesaid knowing the same to be Counterfeit or altered every person who shall so counterfeit or alter any the said Bills of Credit, or knowingly pass or give in Payment any such Counterfeit or altered Bill as aforesaid, shall be guilty of Felony, and being thereof convicted, shall suffer the Pains of Death as in Cases of Felony without the Benefit of Clergy any Law usage or Custom to the Contrary hereof in any wise Notwithstanding.

## [CHAPTER 1299.]

[Chapter 1299 of Van Schaack, where the act is printed in full.]

An Act for Naturalizing Rudolphus Ritzema, William La Croix, Philip Venua, Isaac Rysdyck, Michael Poltz Daniel Cookenheim, Alexander Diarce, and Charles de Freidenbergh

(Passed, July 3, 1766.)

WHEREAS the above named persons have by their Several petitions presented to the General Assembly desired that they may be naturalized and become his Majesty's Leige subjects and Settlers in this Colony

Be it therefore Enacted by his Excellency the Governor the Council and the General Assembly, and it is hereby enacted by the authority of the same that the before mentioned several persons, and each and every of them shall be and hereby are declared to be naturalized to all Intents Constructions and purposes whatsoever and from henceforth and at all Times hereafter shall be intitled to have and enjoy all the Rights and Liberties Priviledges and Advantages, which his Majestys natural born Subjects in this Colony have and enjoy or ought to have and enjoy as fully to all Intents and purposes whatsoever as if all and every of them had been born in this Colony

PROVIDED always and it is hereby further enacted by the authority aforesaid that all and every and each of the Above mentioned persons shall take the Oaths appoluted by Law instead of the Oaths of Allegiance and Supremacy subscribe the Test and make repeat Swear to and subscribe the abjuration Oath in any of his Majestys Courts of Record within this Colony, which Oaths the said Courts are hereby Required upon application to them made to administer take Subscriptions and Cause the Names of the persons so swearing and subscribing, to be entered upon Record in the said Courts; and the said before mentioned persons are hereby each of them required to pay the Several sums hereafter mentioned, that is to say, To the Speaker of the General Assembly the sum of Ten shillings, To the Judge of such Court the sum of six shillings, and to the Clerk of such Court the sum of three shillings

AND be it further Enacted by the Authority aforesaid That if the said persons or any of them having so sworn and subscribed

as aforesaid shall demand a Certificate of his or their being entered upon Record in the manner herein before directed the Court or Courts in which such Oaths and subscriptions shall be made are hereby directed and required to grant such under the Hand of the Judge and seal of the said Court or Courts in which such Oaths and subscriptions as aforesaid shall be made counter signed by the Clerk of the said Courts: For which Certificate each of them shall pay over and above the sums above mentioned the sum of six Shillings One half to the Judge of such Court or Courts, and the other half to the Clerk thereof; Which Certificate or Certificates shall be at all Times to the person or persons therein named a sufficient proof of his or their being naturalized by Virtue of this act in as full and effectual a manner as if the Record aforesaid was actually produced by the person or persons so named in such Certificates

PROVIDED also and be it enacted by the Authority aforesaid That such of the persons hereby Naturalized, as shall not take the Oath, Test and Abjuration in manner herein before directed within Twelve Months next after the publication hereof Shall have no manner of Benefit by this Act, any Thing herein contained to the Contrary notwithstanding

AND be it enacted by the same Authority, that the publick printer of this Colony shall, and hereby is directed and Required to print this act as if the same were a publick Act of this Colony

## TWENTY-NINTH ASSEMBLY.

### *Eleventh Session.*

(Begun Nov. 10, 1766, 7 George III, Sir Henry Moore, Governor)

### {CHAPTER 1300.}

[Chapter 1300 of Van Schanck, where the title only is printed. See chapter 1239.]

An Act further to Continue An Act entitled An Act for granting to his Majesty the several Duties and Impositions on Goods Wares and Merchandizes Imported into this Colony therein mentioned.

[Passed, December 19, 1768]

WHEREAS the several Duties and Impositions on Goods, Wares and Merchandizes Imported into this Colony, and granted



for the Support of the Government of his late Majesty King George the second by the above mentioned Act, have by several subsequent acts been continued to the first day of January next; and the General Assembly being willing to make Provision for the farther Support of his Majesty's Government of this Colony.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby Enacted by the authority of the same that the above mentioned act entitled an act for granting to his Majesty the several Duties and Impositions on Goods Wares and Merchandizes Imported into this Colony therein mentioned, Passed in the twenty seventh year of his late Majesty's Reign, shall be and hereby is Continued, and every Clause matter and thing therein Contained, enacted to be and remain in full force to all intents Constructions and purposes whatsoever from the said first Day of January next; until the first Day of January which will be in the year of our Lord One thousand Seven hundred and sixty eight, inclusive.

[CHAPTER 1301.]

[Chapter 1301 of Van Schaack, where the title only is printed.]

An Act for paying the Salaries and Services of the several Officers of the Government from the first Day of September One thousand seven hundred and Sixty six to the first day of September one thousand seven hundred and sixty seven inclusive, and other Services therein mentioned.

[Passed, December 19, 1766.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly, And it is hereby Enacted by the authority of the same that the Treasurer of this Colony shall be and hereby is directed and Required out of the Monies arisen or which may arise by Virtue of the two following acts Vizt An Act for Granting unto his Majesty the several Duties and Impositions on Goods Wares and Merchandizes Imported into this Colony therein mentioned, And an Act to Restrain Hawkers and Pedlars within this Colony from selling without Licence, to pay the several sums following Vizt.

UNTO his Excellency the Governor for administring the Government of this Colony from the first Day of September One thousand Seven hundred and Sixty six to the first Day of Septem-

ber One thousand seven hundred and Sixty seven after the rate of two thousand pounds per annum.

UNTO his said Excellency the Governor for providing firewood and Candles for his Majesty's Garrison in Fort George in the City of New York from the first Day of September One thousand seven hundred and sixty six, to the first Day of September One thousand Seven hundred and Sixty seven the sum of Four hundred pounds.

UNTO the Chief Justice of this Colony for his Services in that Station, and for Going the Circuits from the first Day of September One thousand seven hundred and Sixty six to the first Day of September One thousand Seven hundred and sixty seven after the rate of three hundred pounds per annum.

UNTO the Second Justice of the Supream Court of this Colony for his Services in that Station and for going the Circuits from the first Day of September One thousand Seven hundred and Sixty six to the first Day of September One thousand seven hundred and sixty seven, after the rate of two hundred pounds per annum.

UNTO the Third Justice of the Supream Court of this Colony for his Services in that Station and for going the Circuits from the first day of September One thousand Seven hundred and sixty six to the first Day of September One thousand seven hundred and sixty seven after the rate of two hundred pounds per Annum.

UNTO the fourth Justice of the Supream Court of this Colony for his Services in that Station and for going the Circuits from the first Day of September One thousand seven hundred and sixty six to the first Day of September One thousand Seven hundred and sixty seven after the rate of two hundred pounds per annum.

UNTO the Secretary of this Colony for the time being for Engrossing and Enrolling the acts of the Governor Council and General Assembly from the first Day of September One thousand seven hundred and sixty six to the first Day of September One thousand seven hundred and sixty seven the sum of Thirty pounds.

UNTO the Clerk of the Council for the time being for his Services in that Station from and to the time aforesaid the sum of thirty pounds.

UNTO the Door keeper of the Connell for the time being for his Services in that Station from and to the time aforesaid the sum of twenty pounds.

UNTO William Weyman as Publick Printer of this Colony for his Services in that Station from and to the time aforesaid after the rate of Fifty pounds per annum.

UNTO John Kipp as Guager of Liquor Subject to duties within this Colony or to the Guager thereof for the time being for his Services in that Station from and to the time aforesaid after the rate of thirty pounds per Annum.

UNTO Thomas Hill and Josiah Smith Land and tide waiters or to the Land and Tide waiters for the time being for their Services in that Station from and to the time aforesaid after the rate of fifty pounds per annum each of them.

ALL which aforesaid several sums of Money shall be paid by the Treasurer on Warrants Issued by his Excellency the Governor or the Commander in Chief for the time being by and with the advice and Consent of his Majesty's Council of this Colony and the receipts of the several Persons indorsed on the said Warrants shall be to the Treasurer Good Vouchers and discharges for so much as shall be thereby acknowledged to be received.

AND BE IT ENACTED by the authority aforesaid that the Treasurer shall be and hereby is directed and required out of the Funds aforesaid to pay the several allowances following to wit.

UNTO Abraham De Peyster Esquire Treasurer of this Colony for his Services in that Station from and to the time aforesaid after the rate of two hundred pounds per annum.

UNTO the said Treasurer for the Extraordinary Services which he is now obliged to perform beyong the usual Duty of his Office after the Rate of the further sum of One hundred pounds.

WHICH said several sums or so much thereof as shall be really and truly due, shall be allowed to the said Abraham De Peyster or to his Executors or Administrators as good discharges for so much in his or their accounts.

UNTO Robert Charles Esquire agent for this Colony in Great Britaln as a Reward for his Care Trouble and Diligence in attending upon his Majesty and his MINISTERS of State in that Station, from the first Day of September One thousand seven hundred and Sixty six to the first Day of September One thousand seven hundred and sixty seven after the rate of five hun-

dred pounds per annum. Which said sum or so much thereof as shall be really and truly due shall be paid unto the said Robert Charles or to his Executors Administrators or Assigns by an Order of the General Assembly of this Colony Signed by their Speaker for the time being and not otherwise.

UNTO John Tabor Kempe Esquire his Majesty's Attorney General of this Colony for several Extrordinary services performed by him in that Station the sum of One hundred and fifty pounds.

UNTO Abraham Lott Clerk of the General Assembly for his Services in that Station from the first day of September One thousand seven hundred and Sixty six to the first day of September One thousand seven hundred and sixty seven, Twenty shillings per diem payable upon a Certificate from the General Assembly signed by the Speaker for the Number of Days he has Served or may serve the General Assembly.

UNTO the said Abraham Lott for sundry Disbursements by him made for the use of the General Assembly the sum of Thirty eight pounds Nine shillings and Nine pence.

UNTO Alexander Lamb Doorkeeper of the General Assembly for his Services in that Station from the first day of September One thousand Seven hundred and Sixty six to the first day of September One thousand seven hundred and sixty seven six shillings per diem, payable upon a Certificate from the General Assembly signed by their Speaker for the Number of Days he has served or may serve the General Assembly.

UNTO the said Alexander Lamb for providing sundry Necessaries for the use of the General Assembly the sum of Thirty pounds.

UNTO John Martin for his Services as Gunner and Store-keeper of the Colony Stores from the Twenty eighth Day of July One thousand Seven hundred and Sixty five, to the Twenty eighth Day of July One thousand Seven hundred and Sixty six the sum of Twenty pounds.

BE IT ENACTED by the Authority aforesaid that for answering the Expences of Contingencies and Extrordinary Emergencies that have or may happen for the Services of this Colony from the first Day of September One thousand seven hundred and Sixty six to the first Day of September One thousand Seven hundred and Sixty seven, Warrants may Issue for the same on the Treasurer from time to time if Drawn by HIS Excellency the

Governor or Commander in Chief for the time being with the advice and Consent of the Council which the Treasurer is hereby Ordered and directed to pay out of the Monies arising by Vertue of the two acts herein before mentioned. PROVIDED the amount of the said Warrants do not exceed the sum of One hundred Pounds during that time.

BE IT ENACTED by the Authority aforesaid that the Treasurer of this Colony shall and he is hereby Directed and Required out of the Money now in the Treasury by Virtue of an act passed in the fourth year of his present Majesty's Reign Entituled an act Impowering John Cruger, Robert R. Livingston, Philip Livingston, Leonard Lispenard and William Bayard Esquires to receive from the Colony of Pensilvania the sum of four thousand three hundred and Sixty eight pounds two shillings and six pence Sterling over paid the said Colony out of the Parliamentary Grant for the service of the year One thousand Seven hundred and Sixty to pay unto the following persons to wit.

UNTO Andrew Gautier or his Order in full of his account for work done and Materials found by himself and others for the Repairs of the House Garden fence &c. in Fort George the sum of Eleven hundred and thirty eight pounds One shilling and ten pence half penny.

UNTO Ann Devisme in full of her account for Eighteen pieces of Linnen delivered Mr Cox for the use of the House in Fort George forty pounds ten shillings.

UNTO Robert Andrews and Robert Boyd in full for their Account for unspiking the Guns on the Battery the sum of One hundred and Sixty six pounds Ten shillings

UNTO William Livingston Esquire for defraying the Expence of Printing and Revising the Tryal Between Forsey and Cunningham the sum of Sixty pounds.

UNTO Joseph Cox for finding Paper Hangings and other Necessaries for the House in Fort George the sum of Thirty three pounds fourteen shillings and Six pence.

UNTO Mathew Ernest for his House for the use of the General Assembly and Firewood and sundry other Necessaries found them, the sum of Sixty pounds.

AND BE IT ENACTED by the Authority aforesaid that the Treasurer shall and he is hereby directed to keep exact Books of the several Payments which he is directed to make by this act and shall Render true and distinct accounts thereof upon



Oath to his Excellency the Governor or Commander in Chief for the time being the Council or the General Assembly when by them or any of them he shall be thereunto required.

[CHAPTER 1302.]

[Chapter 1302 of Van Schnack, where the title only is printed.]

An Act to pay the several Persons therein mentioned, for the Losses they sustained on the first of November, One thousand seven hundred and Sixty five, and the Sixth of January One thousand Seven hundred and Sixty six.

[Passed, December 19, 1766.]

WHEREAS It has been recommended to the General Assembly of this Colony by Order of his Most Gracious Majesty in consequence of Votes passed in the Right Honourable the House of Lords, and in the Honourable House of Commons in Parliament Assembled to compensate the Losses sustained by several Persons who suffered by the late unhappy Disturbances in this Colony, raised on account of the great Disgust with which the Act of Parliament imposing Stamp Duties was received, and it appearing reasonable and just that the Innocent sufferers should have that Relief given them which Cannot be obtained without the aid of the Legislature who are Desirous to draw a Veil over those Heats and Disturbances therefore but chiefly in order to testify the Duty Loyalty and Gratitude of the General Assembly to his Majesty and the utmost regard to the most respectable recommendation of both Houses of Parliament.

BE IT ENACTED by his Excellency the Governor, the Council, and the General Assembly. And it is hereby Enacted by the Authority of the same, That the Treasurer of this Colony shall be and he is hereby directed and required, out of the Money now in the Treasury by Virtue of an act passed in the fourth year of his present Majesty's Reign Entituled, "An Act Impowering John Cruger Robert R. Livingston, Phillip Livingston, Leonard Lispenard, and William Bayard Esquires to receive from the Colony of Pennsylvania the sum of four thousand, three hundred and sixty eight pounds, two shillings and six pence sterling, overpaid the said Colony out of the Parliamentary Grant for the service of the year One thousand Seven hundred and Sixty."

To pay unto the following Parsons, to wit.

UNTO Major Thomas James or his Order, the sum of One thousand seven hundred and forty five Pounds Fifteen shillings and two pence half penny sterling money of Great Britain at the Current Exchange, in full compensation for his Losses sustained On the first of November One thousand seven hundred and sixty five.

UNTO Andrew Gautier or his Order the sum of Four hundred and four pounds six shillings and five pence, in full Compensation for the damages done to the House of Samuel Francis on the said first day of November One thousand seven hundred and Sixty five

UNTO Jonathan Mallet or his Order the sum of Thirty six Pounds in full Compensation for the Damages by him sustained at the time aforesaid.

UNTO Henry Van Schaack or his order the sum of One hundred and three pounds one shilling and six pence in full compensation for the Damages he sustained on the sixth of January last near the City of Albany by means of the disturbances aforesaid.

AND BE IT ENACTED by the Authority aforesaid that the Treasurer shall and he is hereby directed to keep exact Books of the several Payments which he is directed to make by this Act, and shall Render true and distinct accounts thereof upon Oath to his Excellency the Governor or Commander in Chief for the time being the Council, or the General Assembly, when by them or any of them thereunto required.

#### [CHAPTER 1303.]

[Chapter 1303 of Van Schaack, where the title only is printed See chapter 1276.]

An Act further to Continue an Act  
Entitled, An Act for Regulating the Militia  
of the Colony of New York.

[Passed, December 19, 1768.]

BE IT ENACTED by his Excellency the Governor the Council, and the General Assembly, And it is hereby Enacted by the authority of the same, that the aforesaid act entitled, an act for Regulating the Militia of the Colony of New York, Passed in the fourth year of his Present Majesty's Reign, shall be and hereby is Continued, and every Clause article and matter, in the said act contained, Enacted to be and remain in full force and virtue,

to all Intents Constructions and purposes whatsoever, from the first day of January next, until the first Day of January which will be in the year of our Lord One thousand Seven hundred and Sixty-eight.

[CHAPTER 1304.]

[Chapter 1304 of Van Schnack, where the title only is printed. Expired January 1. 1768.]

An Act for Collecting the Duty of Excise on Strong Liquors Retailed in this Colony from the First Day of January, One thousand Seven hundred and Sixty seven, to the first Day of January One thousand Seven hundred and sixty Eight Inclusive.

[Passed, December 19, 1768.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly, AND it is hereby Enacted by the Authority of the same, that Cornelius Clopper shall be and hereby is appointed Commissioner for Collecting the Duty of Excise of and from the several Retailers of Strong Liquors within the City and County of New York; from the first day of January One thousand Seven hundred and Sixty seven, to the first day of January which will be in the year of our Lord One thousand seven hundred and sixty Eight.

AND BE IT ENACTED by the authority aforesaid that the said Commissioner shall as soon after the Publication of this act as he shall judge Convenient, appoint the several Retailers within the said City and County and direct and ascertain what each Retailer shall pay for the said Duty from the first day of January One thousand Seven hundred and sixty seven to the first day of January One thousand seven hundred and sixty Eight Inclusive, ALWAYS PROVIDED that the whole sum so to be laid on the several Retailers in the said City and County shall be the full and entire sum of eight hundred pounds with the additional sum of One hundred pounds for incidental Charges and his Commissions, which last is to be at the rate of five per Cent: for which said sum of One hundred pounds he shall account on Oath to the Mayor aldermen and Commonalty of the City of New York when by them thereunto required: And if it exceeds his Commissions and incidental Charges the surplus thereof shall be applied in ease of the next years Excise, and the said sum of Eight hundred pounds shall by the said Commissioner be paid unto the

Treasurer of this Colony on or before the first day of January One thousand seven hundred and Sixty eight.

AND BE IT ENACTED by the Authority aforesaid that the several and Respective Persons hereafter named shall be and hereby are appointed Commissioners for Collecting the Duty of Excise of and from the several and respective Retailers within the several and respective Counties of this Colony hereafter mentioned, and the Harbours, Bays, and Rivers respectively thereunto adjoining and belonging Vizt.

For the City and County of Albany Henry Blecker Junior and Peter Lansingh Esquires.

For the Borough of Westchester the Mayor Recorder and Aldermen of the said Borough.

For the Manor of Philipsburgh In the County of Westchester William DAVIDS and Isaac Deane Esquires.

For Kings County Theodorus Polhemus Esquire.

For Queens County Benjamin Townsend and Samuel Clôwes Esquires

For Suffolk County Richard Floyd, Hugh Gelston, and Samuel Landon Esquires.

FOR Westchester County Edward Stephenson and John Thomas Junior Esquires.

FOR Dutches County Murray Lester and James Duncan Esquires.

FOR Ulster County Joseph Gasherie and James McClaghry Esquires.

FOR Orange County Colonel Benjamin Tusteen and Jacob Conckling Esquire.

And For Richmond County Hezekiah Wright, Joseph Bedell and Jacob Rezeau Esqrs.

AND BE IT ENACTED by the Authority aforesaid that the aforesaid several and respective Commissioners or the Major part of them respectively, shall as soon as Conveniently they can, after the Publication of this act, meet at the County Hall of their several and respective Counties or at such other place or places as they the said Commissioners shall respectively appoint for putting in Execution the Powers and authorities given by this act; at which time, or at such other times as they shall Judge necessary, the said Commissioners or the Major part of them respectively, shall for their own Counties and Districts severally and respectively fix the Number and appoint the several Retailers

within their several and respective Counties and Districts and direct and ascertain what each Retailer shall pay for the said Duty of Excise from the first day of January One thousand Seven hundred and Sixty seven to the first day of January One thousand seven hundred and sixty eight. ALWAYS PROVIDED that the sum to be laid on the several Retailers in the City and County of Albany shall be the full and entire sum of One hundred and Twenty seven pounds, with the sum of Twenty eight pounds in addition thereto for the Charges of Managing the same.

On the several Retailers in the Borough of Westchester the full and entire sum of Ten pounds.

On the several Retailers in Westchester County and Mannor of Philipsburgh the full and entire sum of Sixty pounds, with the sum of fifteen pounds in addition thereto for the Charges of Managing the same.

On the several Retailers in Queens County the full and entire sum of eighty Pounds, with the sum of ten pounds in addition thereto for the Charges of managing the same.

On the several Retailers in Suffolk County the full and entire sum of Fifty Pounds with the sum of Nine Pounds in addition thereto for the Charges of managing the same.

On the several Retailers in Kings County the full and entire sum of Thirty Pounds with the sum of five pounds in addition thereto for the charges of managing the same.

On the several Retailers in Dutchess County the full and entire sum of forty two pounds, with the sum of eight Pounds in addition thereto for the Charges of managing the same.

On the several Retailers in Ulster County the full and entire sum of thirty Eight pounds, with the sum of eight Pounds in addition thereto for the Charges of managing the same.

On the several Retailers in Orange County the full and entire sum of nineteen Pounds, with the sum of four Pounds in addition thereto for the Charges of Managing the same.

On the several Retailers in Richmond County the full and entire sum of twenty pounds with the sum of One Pound ten shillings in addition thereto for the Charges of managing the same.

AND BE IT ENACTED by the Authority aforesaid that the aforesaid several and respective Commissioners shall before they enter on the Execution of the Powers and Authorities given by this act, enter into Recognizances unto our Sovereign Lord the King his Heirs and Successors before any Judge of the Supreme



Court or of the Inferior Courts in the following sums, that is to say.

The said Cornelius Clopper in the penal sum of One thousand six hundred pounds.

The said Henry Bleeker and Peter Lausigh in the penal sum of two hundred and fifty four Pounds.

The said Edward Stephenson, John Thomas, William Davids and Isaac Deane, in the Penal sum of One hundred and twenty pounds.

The said Theodorus Polhemus in the Penal sum of Sixty Pounds.

The said Benjamin Townsend and Samuel Clowes in the Penal sum of One hundred and sixty pounds.

The said Richard Floyd, Hugh Gelston, and Samuel Landon in the Penal sum of One hundred pounds.

The said Murray Lester and James Duncan in the Penal sum of Eighty four Pounds.

The said Joseph Gasherie and James McClaghry in the Penal sum of Seventy six pounds.

The said Benjamin Tusteen and Jacob Conckling in the Penal sum of Thirty eight pounds.

And the said Hzekiah Wright, Joseph Bedell, and Jacob Rezeau, in the penal sum of Forty pounds.

CONDITIONED that they shall well and truly pay to the Treasurer of this Colony, ON or before the first Day of January which will be in the year of our Lord One Thousand seven hundred and sixty eight the several and Respective sums to be laid in manner as aforesaid on the several and respective Retailers within their several and respective Counties, Exclusive of the several and respective sums by this act allowed for the Charges of Management.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the aforesaid several and respective Retailers shall pay the aforesaid several and Respective sums laid or to be laid on them unto the aforesaid several and Respective Commissioners on or before the first day of December One thousand seven hundred and Sixty seven, for securing which Payment the said Commissioners shall respectively oblige the said several and respective Retailers to give such Security as they the said Commissioners shall think necessary PROVIDED that such Retailers in the City of New York as shall be rated at three Pounds and under, and such in the several Counties as shall be rated at

Thirty shillings and under, shall not be permitted to have Liberty to Retail unless they immediately pay the several and respective sums they shall be rated at to the aforesaid respective Commissioners, any thing herein before Contained to the Contrary Notwithstanding.

AND BE IT ENACTED by the Authority aforesaid that in case any Person or Persons whatsoever other than such as the said Commissioners shall permit shall presume to sell any strong Liquors by Retail directly or indirectly, the offender or Offenders shall for every such Offence forfeit the sum of six pounds to be recovered by the said Commissioner or Commissioners respectively on the Oath of any one Credible Witness in a Summary way in the Cities of New York and Albany and Borough of Westchester, before the Mayor or Recorder and one or more Aldermen of the said Cities and Borough respectively, and in the several Counties before any Justice of the Peace within the said County respectively, And if upon Conviction the said Forfeitures be not paid the same shall be levied on the Goods and Chattels of the Offender or Offenders, by warrant or warrants under the Hands and Seals of the Person or Persons before whom such Conviction shall happen, and if no Goods and Chattels are found on which to distrain, it shall and may be Lawfull for the Person or Persons who heard and determined the Cause to Commit the Offender or Offenders to Goal without Bail or Mainprize for the space of three Months unless the Penalties are sooner Discharged. AND the said respective Magistrates shall be and are hereby fully impowered directed and required to hear and determine these matters in the manner aforesaid, and to give Judgment, and if need be to award EXECUTION thereon, and to Issue a Warrant or Warrants for the Commitment of Offenders as the case may require, one third of which forfeiture shall be to the Informer or Informers, one third to the said Commissioners, and one third to the Poor of the Town Mannor or Precinct where the Offence shall be Committed, to be paid into the Hands of the Church Wardens or Overseers of the Poor of the said respective place or Places by the Officer or Officers by whom the same shall be levied; any thing in any of the acts of this Colony to the Contrary Notwithstanding.

AND BE IT ENACTED by the Authority aforesaid that the several Retailers who shall be permitted and allowed to Retail, by the said Commissioner or Commissioners, shall before they

do s<sup>o</sup>, Retail any strong Liquors enter into Recognizance, that is to say, in the Cities of New York and Albany and Borough of Westchester, before the respective Mayors thereof, and in the several Counties of this Colony before two Justices of the Peace in the Penal sum of Twenty pounds with sufficient sureties in the like sum Conditioned to keep an Orderly House according to Law during the time they shall be permitted to Retail as aforesaid, and thereupon the said Respective Mayors or the said Justices shall Grant to such Person or Persons who have entered into such Recognizance, a Licence under his or their Hands and Seals to retail Strong Liquors in such House and Place as shall be mentioned therein during the Continuance of this act: which Recognizances are to be Lodged by the Person or Persons before whom the same shall be taken Vizt. in the Cities of New York and Albany and Borough of Westchester with the Town Clerks, and in the several Counties with the respective Clerks thereof. And upon Complaint of the Breach of the said Condition it shall be Lawful for the said Mayors and Aldermen of New York and Albany and Borough of Westchester respectively, or the greater Number of them and in the Counties for the Justices of the General and Special Sessions of the Peace to Suppress the Licence or Licences of such Offender or Offenders.

AND BE IT ENACTED by the Authority aforesaid that in case any of the Persons who shall be permitted to retail strong Liquors as aforesaid by the said Commissioner or Commissioners shall presume to Retail before he she or they have Obtained a Licence and entered into Recognizance to keep an orderly House as aforesaid, he she or they so Offending shall respectively forfeit the sum of six pounds for each Offence, to be recovered in a summary way in the manner before directed, one half thereof to the Informer, and the other half to the Poor of the Town Mannor or Precinct where the forfeiture shall arise.

AND that the Expence of being qualified to Retail may be within the bounds of MODERATION, BE IT ENACTED by the authority aforesaid that no more shall be taken for a Licence and Recognizance in the Cities of New York and Albany and Borough of Westchester than the usual and accustomed Fees, And in the respective Counties than the sum of three shillings.

AND BE IT ENACTED by the Authority aforesaid, that such Persons permitted to Retail as aforesaid by the said Commissioner or Commissioners, who Retail Strong Liquor not to be

drank in their own Houses, but Carried elsewhere shall not be obliged to enter into the Recognizance, and take Licence as aforesaid, any thing Contained in this act to the Contrary notwithstanding.

AND BE IT ENACTED by the Authority aforesaid that in case all the several sums for which the Excise shall be let in the several and respective Cities, Counties, and Districts of this Colony, shall fall short of the sums herein before rated on the several and respective Cities Counties and Districts, with the aforesaid Incidental Charges of letting and Collecting the same, then the Commissioner or Commissioners aforesaid where such Deficiencies shall happen, shall be and are hereby impowered to call the Retailers before them, and Assess and rate such sum and sums upon them as shall be sufficient to make up such Deficiencies, which said additional sums shall be Collected and paid in the same manner with the several and respective sums first laid.

AND BE IT ENACTED by the authority aforesaid that in Case of the Death of any of the aforesaid Commissioners, the Surviving Commissioner or Commissioners where such Death may happen shall be and hereby is and are intitled to the whole Reward, and vested with the same Powers and authorities to execute this act, as if no such Death had happened, and in Case of the Death of all the Commissioners of any of the respective Cities Counties and Districts then the sheriff or sherifs for the time being of the Cities County or Counties where such Death may happen shall be and hereby is and are vested with all the Powers and authorities given to the Commissioners by this Act, shall be under the same regulations and intitled to the same Rewards, to all intents Constructions and purposes whatsoever as if they had been particularly named and appointed in this act, any thing in this act to the Contrary Notwithstanding.

AND BE IT ENACTED by the Authority aforesaid that all the Monies to be paid to the Treasurer of this Colony by virtue of this act shall be employed for and Towards Cancelling the Bills of Credit struck and emitted upon the said Duty of Excise at the times and in the manner directed in and by an act entitled An Act for the more effectual Cancelling the Bills of Credit of this Colony passed in the TWENTY FIRST year of his late Majesty's Reign, and to and for no other use whatsoever,

AND BE IT ENACTED that the Retailers in the City of New York shall pay the Excise in three several payments or sooner,

as the Commissioner and they shall agree, PROVIDED ALWAYS that nothing in this act shall be Construed to make void abridge or any wise Lessen the several Rights and Priviledges granted unto the Cities of New York and Albany, and Borough of Westchester, by their respective Charters, any thing Contained in this act to the Contrary thereof Notwithstanding.

AND BE IT ENACTED by the authority aforesaid that the Commissioner or Commissioners of each County and District except the City and County of New York shall at the next meeting of the Supervisors of their respective Counties after the first day of January which will be in the year of our Lord One thousand Seven hundred and sixty eight render a true account on Oath to them of all the Monies which he or they the said Commissioner or Commissioners has or have received or shall be due to him or them on Account of the Ex-ise for the preceeding Year, and whatever sum or sums he or they has or have received or shall be due to him or them above the sum or sums directed by this act to be levied on their respective Counties or Districts, shall be paid to the Treasurer thereof, and applied by him towards the defraying of the County Charges of the said County, in the manner the said Supervisors shall direct, any thing herein to the Contrary Notwithstanding.

#### [CHAPTER 1305.]

[Chapter 1305 of Van Schoeck, where the title only is printed. See chapter 1277. Continued by chapter 1351.]

An Act further to Continue an Act  
entitled An Act to lay a Duty of Tonnage on  
Vessels for defraying the Expence of the  
Light House on Sandy Hook

[Passed, December 19, 1766.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly, And it is hereby Enacted by the Authority of the same. That the act entitled an act to lay a Duty of Tonnage on Vessels for defraying the Expence of the Light House on Sandy Hook, passed in the fourth year of the Reign of his present Majesty, shall be and hereby is continued in full force and Virtue to all Intents and purposes from the first day of January next until the first day of January which will be in the year of our Lord One thousand Seven hundred and Sixty Eight.



## [CHAPTER 1306.]

[Chapter 1306 of Van Schaack, where the act is printed in full.]

## An Act for the Regulation of Servants.

[Passed, December 12, 1766.]

WHEREAS the Emigration of Protestants from Europe hath conduced greatly to the Settlement of this Colony, and doubts have arisen tending to the discouragement of further Importations of poor Persons.

Be it therefore Enacted by his Excellency the Governor the Council and the General Assembly, And it is hereby Enacted by the authority of the same, that every Contract in writing to bind any Infant or other Person to Service for a Term of Years or any shorter time to any Person or Persons whomsoever and bona fide executed, and every Assignment of such Contract so Executed are hereby declared to be firm and valid according to the Original and true meaning thereof.

AND be it further Enacted by the same Authority that every such Contract hereafter to be made by any Infant or other Person executed in the Presence of two Witnesses and acknowledged by the Servant before any Mayor, Recorder, Alderman or Justice of the Peace, shall bind the Party entering into the same for such Term and for such Services as shall be therein specified, and that every Assignment of the same executed before two credible subscribing Witnesses shall be effectual to transfer the same Contract for the Residue of the Term therein mentioned, PROVIDED always that no such Contract shall bind any Infant longer than until Arrival to the full age of twenty one years, excepting such as are or shall be brought into this Colony from beyond Sea, and are and shall be bound in Order to raise Money for the payment of their passages.

And be it also enacted by the authority aforesaid that every such servant shall be liable to such Correction as any apprentices are liable to in England, and may be relieved and discharged for Missuage, Refusal of Necessaries Cruelty or Ill treatment in the manner Apprentices are relievable in England for any of the Causes aforesaid.

AND BE IT FURTHER ENACTED by the same authority that every Servant who shall run away or absent him or herself from Service for any Longer time than twenty four hours together, shall be Obligated to serve double the Time of such

absence after the Original Term specified in the Contract shall be expired, the time of which absence shall be ascertained by the Certificate of a Magistrate (if made within Ten Days after the apprehension or Return of such Servant) and upon hearing both Parties and their Proofs in a summary way, and for every acknowledgment of an Indenture and the Certificate thereof the Magistrate shall take no greater Fee than two shillings, and for certifying the time of the Absence of a Servant no more than the sum of three shillings.

PROVIDED always that nothing in this Act Contained shall be construed to affect the Indentures of Apprentices bound to be instructed in any Art or Trade, so as to make any Alteration in the same.

[CHAPTER 1307.]

[Chapter 1307 of Van Schaack, where the title only is printed. Expired January 1, 1770.]

An Act to prevent Hawkers and Pedlars from selling in this Colony.

[Passed, December 19, 1766.]

WHEREAS the permitting of Hawkers Pedlars and petty Chapmen to travel about from place to place in this Colony to sell Goods Wares and Merchandizes has by experience been found to be prejudicial to the Inhabitants thereof.

BE it therefore Enacted by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the authority of the same, That it shall not be lawful, from and after the first day of January next for any Hawker, Pedlar, Petty Chapman, or other trading Person or Persons, going from Town to Town, or other Mens Houses, and travelling either on Foot, or with Horse or Horses, or other beasts of Burden, or with any kind of Carriage or otherwise within this Colony, to sell or expose to sale, or cause to be sold or exposed to sale any Goods Wares or Merchandizes whatsoever.

AND BE IT ENACTED by the authority aforesaid that any Hawker, Pedlar, Petty Chapman, or other trading Person as aforesaid, found trading contrary to the true intent and meaning of this act shall forfeit and pay the sum of Five pounds for every Offence, Current money of this Colony, to be levied by warrant under the hand and Seal of any one of his Majesty's Justices of the Peace of the place or places where the offence may be committed by distress and sale of the offenders Goods (unless the fine or forfeiture be otherwise paid) upon due Conviction upon Oath,

or upon the View OF any such Justices of the Peace; rendering the overplus, if any be, to the owner or owners; and for want of such Distress, or other payment, the offender or offenders shall by Warrant from the said Justice, who is hereby empowered and required to issue the same, be committed to the Goal of the place or places where the offence is committed, there to remain for the space of three Months unless the forfeiture and Costs be sooner paid, one half of which forfeiture or forfeitures shall be to the Informer or Informers; and the other Half shall by the said Justice be paid into the Hands of the overseers of the Poor of the Town, Manor Borough or Precinct where they shall arise to be applied to and for the use of the Poor.

AND BE IT ENACTED by the authority aforesaid that this act shall continue in force from the said first day of January next, until the first Day of January which will be in the year of our Lord One thousand seven hundred and Seventy.

#### [CHAPTER 1308.]

[Chapter 1308 of Van Schaack, where the act is printed in full. Expired January 1, 1774. Revived by chapter 1429.]

#### An Act to prevent frauds by the Adulteration of Pot ash and Pearl ash.

[Passed, December 19, 1765.]

WHEREAS the Manufacture of Pot ash and Pearl ash hath been lately Introduced into this Colony and is likely to become a Considerable article of Remittance to Great Britain, and in order to prevent frauds in the Manufacturing of those articles.

BE IT ENACTED by his Excellency the Governor, the Council, and the General Assembly, And it is hereby Enacted by the authority of the same, that every Manufacturer or Original Owner of any Pot ash or Pearl ash made for sale, shall upon each Cask or Vessel in which such Pot ash or Pearl ash shall be packed cause the same to be Branded with the first Letter of his Christian Name and with his Surname at Length, as also the Name of the City Town or District in which such Pot ash or Pearl ash was made, and every person offering to sell any Pot ash or Pearl ash (the Cask or Vessel in which the same is Contained not being branded as aforesaid) shall forfeit and pay the sum of Five pounds.

AND BE IT FURTHER ENACTED that any Person who shall Adulterate any Pot ash or Pearl ash by mixing the same with any

Lime, Marine Salt, or any other matter foreign to the Nature of those Commodities or by any other way or manner whatsoever, and afterwards offer the same to sale shall forfeit and pay the sum of Fifty pounds for each Ton thereof, and so in proportion for any greater or smaller Quantity of Pot ash or Pearl ash.

AND be it further Enacted that in cases where a Strong suspicion of Adulteration arises in either Pot ash or Pearl ash, if any Credible Person shall make complaint to a Justice of the Peace in the City or County where such Pot ash or Pearl ash shall be offered to sale, it shall be in the Power of such Justice first taking sufficient security of the Person so Complaining to respond and pay the Person or Persons whose Pot ash or Pearl ash shall be so suspected and Complained of all his or their reasonable Charge and Expence and the Damage that shall arise by reason of said Complaint or for not prosecuting the same (provided the Pot ash or Pearl ash supposed to be adulterated appear upon Tryal to be good) and he is hereby Enjoyned to make out a Warrant directed to the sherif or Deputy or either of the Conatables of the City or Town requiring them or either of them to seize and take into their Custody so much of the Contents of any and every Cask of Pot ash or Pearl ash (not exceeding the Quantity of four Pounds out of each suspected Cask) as may be necessary in Order to the Conviction of any offender against this Act.

AND BE IT FURTHER ENACTED that the Master or owner of any Ship or Vessel who shall receive on Board the same any Pot ash or Pearl ash, the Cask containing the same not being branded as aforesaid shall forfeit and pay the sum of Forty shillings for each Cask.

AND BE IT FURTHER ENACTED that all Fines and Forfeitures accruing by the Breach of this act shall be applied one Moiety thereof to and for the use of the City or County where the same shall be recovered, and the other Moiety to and for the use of the Prosecutor to be recovered by action, Bill, Plaint, or Information, in any of his Majesty's Courts of Record.

This Act to be in force from the first Day of May next until the first Day of January Anno Domini One thousand seven hundred and Seventy.

## [CHAPTER 1309.]

[Chapter 1309 of Van Schaack, where the title only is printed. The acts continued are chapters 1148, 1232 and 1280. Expired January 1, 1772. Revived as to certain persons by chapters 1464 and 1556.]

**An Act to Continue the several Acts  
therein mentioned respecting the relief of  
Insolvent Debtors.**

[Passed, December 19, 1768]

**WHEREAS** an act Entituled An Act for the Relief of Insolvent Debtors and for repealing the acts therein mentioned passed in the first year of his present Majesty's Reign and continued by another act passed in the fourth year of his present Majesty's Reign Entituled an act to continue an Act Entituled an act for the Relief of Insolvent Debtors and for Repealing the Acts therein mentioned with an addition thereto, until the first day of January One thousand seven hundred and Sixty seven, hath been found usefull and Beneficial to the People of this Colony.

**BE IT THEREFORE ENACTED** by his Excellency the Governor, the Council, and the General Assembly, And it is hereby Enacted by the authority of the same that the aforesaid Act Entituled An Act for the Relief of Insolvent Debtors and Repealing the Acts therein mentioned shall be [and hereby is further continued and every Article Clause matter and thing therein Contained shall be] and remain in full force from the first day of January next to the first day of January which will be in the year of our Lord One thousand Seven hundred and Seventy as to the Liberties of the Creditors petitioning and no longer but shall Continue and be in full force as to the power of every Court, Person Assignee or Assignees appointed by Virtue of the said act untill a full and final Settlement and Division shall be by them made according to the true intent and meaning of the said Act.

**AND BE IT FURTHER ENACTED** by the authority aforesaid that the second Clause of the above mentioned Act Entituled An Act to Continue an act for the relief of Insolvent Debtors and for Repealing the Acts therein mentioned, shall be and hereby is to all Intents Constructions and purposes continued until the said first day of January which will be in the year of our Lord, one thousand Seven hundred and Seventy aforesaid.

**AND BE IT FURTHER ENACTED** by the same authority that the act Entituled An Act more effectually to secure to Credit-



tors the benefits Intended by the acts for the Relief of Insolvent Debtors passed in the Sixth Year of his present Majesty's Reign shall be and remain in full force to all intents and purposes whatsoever until the said first Day of January which will be in the Year of our Lord One thousand Seven hundred and Seventy.

[CHAPTER 1310.]

[Chapter 1310 of Van Schaack, where the title only is printed.]

An Act to Impower the Mayor Recorder and Aldermen of the City of New York, to Order the raising a Sum not exceeding fourteen hundred pounds for the uses therein mentioned.

[Passed, December 19, 1766.]

WHEREAS the providing a sufficient Number of Watchmen and Lighting of Lamps within the City of New York, has not only been found Convenient, but also necessary for the safety of it's Inhabitants and others.

BE it therefore Enacted by his Excellency the Governor, the Council and the General Assembly, and it is hereby Enacted by the authority of the same, that the Mayor Recorder and Aldermen of the City of New York for the time being, or the Major part of them, whereof the Mayor or Recorder to be one, shall have full power and authority and are hereby fully Impowered and authorised, on the second Tuesday in January next to Order the raising a sum not exceeding fourteen hundred pounds by a Tax upon the Estates Real and Personal of all and every the Freeholders, Freemen, Inhabitants, Residents and Sojourners within the City of New York, on the South of Fresh water, for the payment of so many Watchmen, as the Mayor Aldermen and Commonalty of the City of New York shall think necessary, for Guarding the City, and for purchasing of Oyl, for Repairing and attending the Lamps, which now are or hereafter may be erected, and add the same sum of fourteen hundred pounds, to the sum which shall be Raised for the Minister and Poor of the said City, which Tax so to be laid, shall be Rated and Assessed at the same time, and by the Vestrymen who shall rate and Assess the tax for the Minister and Poor of the said City, and shall be Rated together in one Assessment made of the whole, the Vestrymen first taking the Oath prescribed to be taken in and by an act Entituled, an

act to enable the Inhabitants of the City of New York, to Chuse two Vestrymen for each respective ward within the said City, made and passed in the Nineteenth year of the Reign of his late Majesty King George the second, And the Tax so to be made, shall be Collected, levied, and paid at the same time, as the Tax for the maintainance of the Minister and Poor of the said City hath been accustomed, into the hands of the Church Wardens of the said City for the time being, who are hereby required and directed, to pay the same into the Hands of the Chamberlain of the said City, to be by him paid as he shall be directed, by Warrant or Warrants of the said Mayor Aldermen and Commonalty, in Common Council convened for the uses aforesaid.

AND BE IT EXACTED by the authority aforesaid that over and above the sum of fourteen hundred pounds to be Levied and paid by Virtue of this act, the sum of three pence in the pound, as a Reward to the Constables for their Trouble, shall be assessed Levied and paid to the Respective Constables for Collecting and paying the same, and no more, according to the true Intent and meaning of this Act; any thing herein, or in any other act or acts Contained to the Contrary hereof, in any wise Notwithstanding.

AND BE IT FURTHER EXACTED by the Authority aforesaid that if the said Mayor Recorder or aldermen, the Church Wardens, Vestrymen, or Constables, of the said City of New York, who are hereby authorized, Impowered and Required, to take effectual Care that this act be Executed according to the true Intent and meaning thereof or if any of them shall deny refuse or delay to perform, Execute or Comply with all or any of the Powers authorities, and duties in this act given, and required to be done and performed by them or either of them, and thereof shall be Lawfully Convicted in any Court of Record in this Colony, he or they so denying, refusing, or delaying to perform the duties as aforesaid, shall suffer such pains and Penalties by Fine and Imprisonment, as by the discretion of the Justices of said Court shall be adjudged, to be sued for and recovered by the Person or Persons agrieved thereby, or by any other Person or Persons, who shall sue for and prosecute the same to effect.

AND BE IT FURTHER EXACTED by the said authority that if any person or persons shall willfully break or damage any of the Lamps now Erected or hereafter to be erected within this City, he she or they so Offending shall forfeit the sum of Twenty pounds for every Lamp he she or they shall damage or break as

aforesaid, to be levied by warrant or warrants under the Hands and Seals of two or more of his Majesty's Justices of the Peace for the City and County of New York, by distress and Sale of the Offenders Goods, on due Conviction, made upon the Oath of one or more Credible Witness or Witnesses Rendering the overplus, if any there be, to the owner or owners, and for want of such distress, the Offender or Offenders, shall be Imprisoned by warrant under the Hands and Seals of the said Justices, who are hereby required to issue the same, for the space of three Months, unless the said forfeiture or forfeitures be sooner paid, to be applied to and for the use and maintenance of the Lamps, and paying the Watchmen.

AND IT IS HEREBY FURTHER ENACTED, that all such Persons as shall be employed to guard the said City and attend the Lamps, shall be under the direction of and Obey such orders as they shall from time to time receive from the said Mayor Aldermen and Commonalty, any Custom Law or Usage to the Contrary hereof in any wise Notwithstanding.

#### [CHAPTER 1311.]

[Chapter 1311 of Van Schanck, where the act is printed in full. Revised and continued by chapter 1529.]

#### An Act for laying out Regulating and Keeping in Repair, Common and Publick Highways in the County of Cumberland.

[Passed, December 19, 1766.]

WHEREAS nothing contributes more to the ease and advantage of the Inhabitants and to the settlement of a New Country, than the well regulating, Laying out and Keeping in proper Repair, Publick Highways.

BE IT ENACTED by his Excellency the Governor, the Council, and the General Assembly, And it is hereby Enacted by the authority of the same, that from and after the Publication of this act the Freeholders and Inhabitants of the County of Cumberland shall be and hereby are Authorized at their annual Town meetings for electing Town Officers, to Choose and Elect at the same time Three Freeholders in each Town, to be Commissioners for the laying out and Regulating Highways; and also so many Persons to be Surveyors and overseers of the Highways, as the Major part of the Freeholders and Inhabitants of each Town then Assembled, shall Judge Necessary for overseeing making mending Repairing and Keeping in Order the several Highways and

Bridges to be made in the several Towns for which they shall be Elected and Chosen in manner as aforesaid, and the Freeholders and Inhabitants Assembled as aforesaid, shall then allot to each of the Overseers the part of the Roads they shall respectively have the Charge of, and keep in Repair as aforesaid; and the Person or Persons so Chosen and Elected as well those who are to Regulate and lay out Highways as those who are to be overseers and Surveyors thereof, are hereby required to take the several Offices upon them.

AND BE IT ENACTED by the Authority aforesaid, that the Commissioners Chosen in each Town as aforesaid are hereby Impowered and Authorized to lay out and Regulate such Roads as to them or the Major part of them shall seem to be most Necessary and Convenient, and if any dispute shall arise with Respect to the most Convenient place of making a Road or the Joining of Roads from Town to Town that then it shall be in the Power of the Commissioners or the Major part of them in such Town or Towns to Call in three Commissioners, one from each Neighbouring Town, who shall determine where the said Road shall be, as they or the Major part of them shall think to be most Convenient as well for Travellers, as for the Inhabitants of every such Town, and the next adjacent Towns, and if afterwards any of said Roads shall be found Inconvenient, the Commissioners of such Town may alter the same and lay out such other Roads as the Major part of the Commissioners shall Judge more Convenient. PROVIDED ALSO that nothing in this act shall Extend or be Construed to Impower the Commissioners aforesaid to lay out any Road through any Persons Land or Meadows without the Consent of the Owner or Owners thereof, or paying to him or them the true Value of the Lands or Meadows so laid out into an Highway or Road, and if any Dispute shall arise by that means the same shall be determined, and the true value set and appraised by two Justices of the Peace of the said County and by the Oaths of Twelve principal Freeholders of the Neighbourhood not having any Interest in the Lands about which such dispute may arise; the said Freeholders to be summoned by the High sheriff of the said County by Virtue of a Warrant to be Issued by the said two Justices for that purpose. And if any Road within the said County so laid out or altered as aforesaid be a Common Publick Highway, and the same be laid out at the Request of Twelve Principal Freeholders as aforesaid, then the whole Charge of the value of the Lands, together with the Charge of

the Commissioners, and calling and Charge of the Jury, and the whole proceeding thereon had, shall be Raised, Levied, and paid in like manner as the other Contingent Charges of the Town, and the Highway so laid out shall be a Common Publick Highway; but if the Road so laid out, be for the Private use and Benefit of any Person or Persons, then the Charges aforesaid shall be paid by the Person or Persons who desire the same to be laid out; and said Road to be for the only proper use of such Person or Persons and to their Heirs and Assigns who pay for the same, ALWAYS PROVIDED, that the Person thro' whose Land the said Road shall be so laid out his heirs or Assigns shall not be debarred from Crossing or using said Road.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that if any Person or Persons within the said County Do or hereafter shall alter stop up or Lessen any Highway or Road, that shall or may hereafter be laid out by Commissioners Elected and Chosen by Virtue of this Act, without the Consent of the Commissioners shall for every such Offence forfeit the sum of Forty shillings to be recovered before any Justice of the Peace upon the Oath of any one Credible Witness, and Levied by Warrant from any Justice of the Peace, directed to the Constable of the Town or place where such Offence is Committed, by distraining the Goods and Chattels of the Offender, and the said Constable after six Days Publick Notice is Given by him, of the selling the said Distress, shall make sale thereof, and out of the produce pay the said Forfeiture and Charges and Return the overplus (if any there be) to the Owner or Owners which said forfeiture of forty shilling shall be applied by the Surveyors of the Highways, for and towards Repairing the Publick Roads or Highways within the said Town or Towns where such forfeiture shall arise.

AND BE IT FURTHER ENACTED by the Authority aforesaid that all Common Publick Roads or Highways, which shall be hereafter laid out by the aforesaid Commissioners shall not exceed four Rods in Breadth (unless the Inhabitants at their Annual Town Meeting by a Majority of Votes shall otherwise Order) nor be less than two Rods. And where any private Road for any Person or Persons particular use or benefit as aforesaid, shall be laid out through any persons Land or Meadow shall not be less, nor exceed the Breadth of Twenty feet.

AND BE IT ENACTED by the same authority that the Freeholders and Inhabitants of the Towns, by and through whose



Lands any Common Publick Roads or Highways have or shall run or be hereafter ascertained or laid out, are hereby Obligated to Clear and Maintain the same by Cutting down the wood Clearing and stubbing up the Brush Digging up the Stones that can be Carried or got off, the Breadth of one Rod, and the Limbs of the Trees hanging over the said Road, to be lopped and Carried off, and so often as they or any of them shall have Notice from the respective Surveyors or Overseers of the Highways for the time being, shall by themselves or Servants Clear Levell and amend the Highways six Days in the year or so many Days as will be sufficient for keeping the said Roads in Repair, under the Penalty of four shillings for each Day every person shall Neglect or Refuse such Service, to be Levied by the Constable of each Town, by Distress and sale of the offenders Goods and Chattels, by Warrant from any one of the Surveyors or Overseers of the Highways for the time being, Returning the overplus of such sale to the Owner or Owners (if any there be) the Constable to be first paid for his pains and Trouble out of the Distress, as is Common in other Cases, and the said forfeiture of four shillings shall be applied for the Repairing the Publick Roads or Highways within the Town where such forfeiture shall arise.

AND BE IT ENACTED by the authority aforesaid that it shall be lawfull to make use of so much Timber or Trees standing on the Roads for the Repair of the same as shall be found necessary for that purpose.

AND BE IT ENACTED by the same authority that where any Highway from any Town or Plantation to any Meadows, Mills, or Common Landing places, shall run through any Person or Persons Lands or Meadow, it shall or may be lawfull for any such Person or Persons by the approbation of the Commissioners of such Town or the Major part of them, to place and hang good Easy swinging Gates on such Highways, and keep them in good Repair at their own proper Costs, and the said Gates already standing may or shall be approved and Continued or altered as the Commissioners of such Town shall Judge most Convenient.

AND BE IT ENACTED by the same authority that if the Overseers of the Roads and Highways shall think fit, and have occasion of any Team Cart or Waggon and a Man to manage the same, the said Team Cart or Waggon shall be esteemed to be for and in Lieu and Stead of three Days work of a Single Man, and the Fine to be proportionable, that is to say, Twelve shillings to be the Fine to be Imposed for the Neglect of a single

Person and Team, and every Working Man shall be Obliged to BRING such Materials, as Spades, Axes Crows and Pick Axes, and other Utensels as shall be directed by the Surveyors or Overseers of the Highways.

AND BE IT ENACTED by the same Authority that the Commissioners of each Town or the Majority as aforesaid, shall from time to time enter in writing all the Highways or Roads by them laid out, altered, or Stopped up, and sign the same by putting their Names thereto and Cause the same to be entered in the County Record, and the County Clerk is hereby directed and Required to enter the same, And whatsoever the said Commissioners shall do according to the powers given them in this act, being so Entered in the County Records, shall be Valid and Good to all Intents and purposes whatsoever.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that each Commissioner shall have take and Receive a sum not Exceeding six shillings for every Day he shall be employed in laying out and Regulating Highways as aforesaid, as a Reward for his Care and Trouble in doing the Business required by this Act; and shall be paid by the Respective Towns to which they belong as other Town Charges are paid.

AND BE IT FURTHER ENACTED by the authority aforesaid, that upon the Ordering of any one Justice of the Peace the Surveyors or Overseers of the several Towns shall within eight Days thereafter, Warn and set to work the Respective Inhabitants to make mend and Repair the Highways and Bridges which by Law they are Obliged to make and Repair, and if any of the Surveyors or Overseers shall Neglect or Refuse to warn and set to Work the Inhabitants as aforesaid and see the said Highways and Roads made and Repaired, such Surveyor or Surveyors shall for every such Neglect or Refusall, forfeit and pay a fine of Forty shillings to be Recovered before any one Justice of the Peace of said County where such Neglect or Refusall shall happen, upon the Oath of any one Witness, or upon the View of such Justice in the Common or usual method, which Fine shall be Applied Towards Repairing the said Highways in such Town or place where such Fine may arise.

AND BE IT FURTHER ENACTED by the authority aforesaid, That this Act shall be In Force from the Publication thereof to the first Day of January One thousand Seven hundred and Seventy one.

## [CHAPTER 1312.]

[Chapter 1312 of Van Schaack, where the title only is printed.]

An Act to Impower and Enable the Mayor Recorder and Aldermen of the City of New York for the time being or the Major part of them to Order the Raising a sum not exceeding One thousand pounds by a Tax on Estates Real and personal in the said City; for the purposes therein mentioned.

[Passed, December 19, 1764.]

WHEREAS it is found necessary that there should be a Bridewell or Work House erected in the City of New York, which the Corporation are at present unable to do without the aid of the Legislature.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council and the General Assembly, And it is hereby Enacted by the authority of the same That the Mayor Recorder and Aldermen of the City of New York for the time being or the Major part of them, whereof the Mayor or Recorder to be one, shall have full Power and authority and are hereby fully Impowered and Authorized on the second Tuesday in June next to Order the raising a sum not exceeding One thousand pounds by a Tax upon the Estates Real and personal of all and every the Freeholders Freemen Inhabitants Residents and Sojourners within the City of New York towards the Building of a Bridewell or Work house in the said City, which Tax shall be Raised by the Vestrymen of the said City, first taking the oath prescribed to be taken in and by an act Entitled An Act to Enable the Inhabitants of the City of New York to Chuse two Vestrymen for each respective Ward within the said City made and passed in the Nineteenth Year of the Reign of his late Majesty King George the second, and the said Tax so to be made shall be Collected levied and paid into the Hands OF the Chamberlain of the said City on or before the first day of September next to be by him paid as he shall be directed by Warrant or Warrants of the Mayor Aldermen and Commonalty of the City of New York in Common Council convened for the uses aforesaid.

AND BE IT FURTHER ENACTED by the authority aforesaid that over and above the said sum of One thousand pounds to be levied and paid by virtue of this Act the sum of Nine pence in the

Pound as a reward to the Constables for their Trouble shall be Assessed levied and paid to the respective Constables for Collecting and paying the same and no more, according to the true Intent and meaning of this act.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if the said Mayor Recorder and Aldermen the Vestrymen or Constables of the City of New York who are hereby Authorized Impowered and required to take Effectual Care that this act be Executed according to the true Intent and meaning thereof, or any of them shall deny refuse or delay to perform Execute and Comply with all or any of the Powers authorities and Duties in this act given and required to be done and performed by them or any of them and thereof shall be Lawfully Convicted in any Court of Record in this Colony he or they so denying refusing or delaying to perform the duties as aforesaid shall suffer such pains and Penalties by fine and Imprisonment as by the discretion of the Justices of the said Court shall be adjudged, to be sued for and recovered by the person or persons aggrieved thereby or by any other Person or Persons who shall sue for and prosecute the same to Effect.

### [CHAPTER 1313.]

[Chapter 1313 of Van Schanzel, where the act is printed in full. See chapter 1075.]

An Act for Extinguishing Fires in the Woods in the Counties of Albany Ulster and Orange.

[Passed. December 19, 1766.]

WHEREAS there is a Law for the prevention of firing the Woods, but no provision for the extinguishment of Fires when they happen.

BE IT ENACTED by his Excellency the Governor, the Council, and the General Assembly, and It is hereby Enacted by the Authority of the same, That the Freeholders and Inhabitants of the City of Albany, and of each respective Town Mannor or Precinct within the said Counties of Albany, Ulster and Orange shall be and are Impowered and Authorized Annually at their Annual meetings to elect and Chuse such Number of their Freeholders, as by the Majority of the said Freeholders and Inhabitants shall be Judged needful, which said Men when so Chosen are to be called and known by the Name of the Firemen for the respective

District for which they shall be Chosen; which said Firemen, or any one of them shall be, and are hereby fully and absolutely authorized and Impowered, upon view or Information of any Fire happening in any part of the woods within their respective Districts or the woods adjacent thereto, whereby any of the Inhabitants may be in danger of being Damaged to require and Command every able Man residing within their Districts to aid and Assist the said Firemen or any one of them who shall happen to be near unto, or discover the said Fire as aforesaid, in Extinguishing and putting out the same with all care and possible Diligence, and all and every Person or Persons that shall (without a Lawfull Excuse or Impediment) Refuse Neglect or Delay to help and Assist the said Firemen or either or any of them so requiring or Commanding as aforesaid, to Extinguish the said Fires as aforesaid, shall forfeit the sum of Three shillings Current Money of this Colony each, for every such Refusal, Delay or Neglect, to be Recovered before any one of his Majesty's Justices of the Peace of the County where the same shall happen, by Oath of any of the said Firemen or otherwise, the one half of which Forfeitures shall be for the use of the said Firemen who shall sue for the same, and the other half to be distributed to those who have Assisted in extinguishing the said Fire or Fires.

And Be it further enacted by the Authority aforesaid that every Firemen so elected, that shall neglect or refuse to do the Duty required by this Act, shall for every Default or Neglect forfeit and pay the sum of Two Pounds to be recovered in Manner as aforesaid, and applyed one half to the Use of the Informer, and the other half to the use of the County.

THIS ACT to be and remain in full force from the Publication thereof until the first Day of January One thousand seven hundred and seventy seven and no longer.

#### [CHAPTER 1314.]

[Chapter 1314 of Van Schaack, where the title only is printed. See chapter 1242. Expired January 1, 1772.]

An Act to continue an Act entitled An  
Act for the more equal Taxation of Estates  
in Orange County.

[Passed, December 19, 1766.]

WHEREAS the Act passed on the twenty third Day of December One thossand seven hundred and sixty five entitled "An Act



for the More equal Taxation of Estates in Orange County" has by experience been found to be of advantage to the Inhabitants of the said County.

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that the said Act and every Clause matter and Thing therein contained shall be in Force from and after the first Day of January next until the first Day of January which will be in the year of our Lord One thousand seven hundred and Seventy two and no longer.

[CHAPTER 1315.]

[Chapter 1315 of Van Schnack, where the title only is printed. Expired January 1, 1770.]

An Act to Impower the Justices of the Peace in the County of Albany in General Sessions to appoint Commissioners to lay out new Roads or Highways in the said County.

[Passed, December 19. 1786.]

WHEREAS from the Remote Settlements lately made in the County of Albany it is become necessary to lay out several new Roads or Publick Highways for the Conveniency of the Inhabitants.

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly, And it is hereby Enacted by the Authority of the same, That from and after the Publication of this Act the Justices of the Peace in the County of Albany in General Sessions in the City Hall of the City of Albany shall be and hereby are Authorized at their next General Sessions as aforesaid and during the Continuance of this Act at every future General Sessions to Nominate and appoint so many Commissioners of such new Roads to be laid out as they shall think necessary, which Commissioners shall in their Respective Districts for which they are appointed lay out so many new Roads and in such manner as to them or the Major part of them shall appear necessary and Convenient. And the Commissioners so appointed as aforesaid shall do and perform such Services and have the same Powers and be subject to the same Fines and Penalties as Commissioners have who are appointed by an Act of his Honour the Lieutenant Governor the Council and the General Assembly Entitled, An Act for the Regulating Clearing and further laying out Publick Highways throughout the City and

County of Albany, passed the tenth Day of June One thousand seven hundred and sixty.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Freeholders and Inhabitants in the Districts in which they dwell and for which Commissioners are by Virtue of this act appointed shall annually on the first Tuesday in April Chuse and Elect two Freeholders out of their Number to be overseers of such Highways for the ensuing Year, which Freeholders so Chosen as aforesaid shall have the same Powers Perform the same services and be subject to the same Fines and Penalties, as overseers of the Highways have by the before Recited act, and the Freeholders and Inhabitants in their Respective Districts shall do and Perform the services and be subject to the like Fines and Penalties as the Freeholders and Inhabitants are by the said Recited Act.

THIS ACT to be and Continue in force to the first Day of January One thousand seven hundred and Seventy.

#### [CHAPTER 1316.]

[Chapter 1315 of Van Schaack, where the act is printed in full. See chapter 1290.]

An Act to enable the Commissioners of the Highways for the Precinct of Goshen to Build and keep in Repair a Bridge across the Walkill at the outlet of the Drowned Land

[Passed, December 19, 1764.]

WHEREAS the Building and keeping in Repair Publick Bridges by a Tax on the Estates Real and personal of the Freeholders and Inhabitants on the North side of the Highlands in the County of Orange, hath by experience been found to be of great advantage to the Inhabitants thereof.

Be It therefore Enacted by his Excellency the Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same, that the Commissioners to lay out and Regulate highways in the Precinct of Goshen in the County of Orange are hereby authorized and Required as soon as Conveniently may be after the Publication of this Act to build and keep in Repair a Bridge Crossing the Walkill at the out-lett of the Drowned Lands. AND that the Expences arising in Building and repairing the said Bridge shall be Raised and paid in the same manner and under the same restrictions as the other large

Bridges which are particularly mentioned in an Act passed the Twenty third Day of December One thousand Seven hundred and sixty five Entitled An Act for the better laying out Regulating and keeping in Repair Common Publick and private Highways on the North side of the Highlands in the County of Orange, are raised and paid, any Law usage or Custom to the Contrary hereof Notwithstanding.

[CHAPTER 1317.]

[Chapter 1316 of Van Schaack, where a portion of the act is printed. See Chapter 1344.]

An Act for Building a Bridge over the Roundout Creek or River at or near Rosendal in the County of Ulster.

[Passed, December 19, 1766.]

WHEREAS the fording place on the Public Road now used Crossing the Roundout Creek or River at Rosendal is frequently in some Seasons of the year so deep with the freshets coming down or Obstructed with Ice that the same cannot be passed without great difficulty and danger so that some People have already lost their Lives there and others are often put in Great Danger or Stopped from Traveling the said Road, and as that part of the said Road lies within the District of the Township of Hurly; and is of benefit to but a few of the Inhabitants thereof in particular, But is of a publick and General Benefit to the whole County of Ulster as well for the Inhabitants thereof as for Strangers Daily Traveling the said Road

BE it therefore Enacted by his Excellency the Governor the Council and the General Assembly, and It is hereby Enacted by the authority of the same, That for and towards the building of a Bridge over the said Roundout Creek or River, It shall and may be lawfull to and for the Supervisors of the said County of Ulster or the Major part of them and they are hereby directed and required at their next annual meeting when they shall meet to raise the Taxes of the said County to add a sum not Exceeding the sum of One hundred and fifty pounds to the Tax then to be raised on the Freeholders and Inhabitants of the said County of Ulster, and order the same to be Raised Levied Collected and paid in the same manner and form and under the same Restrictions as the other Publick Necessary and Contingent Charges of the said County are, And the County Treasurer is hereby Enjoined and Required from time to time to pay out of the said

Money so to come into his Hands by Vertue of this act, all such sum or sums of Money as shall be ordered in pursuance of this act by the Commissioners herein after named.

AND as it may be Judged that the ground where the Publick Road now Crosseth the said Roundout Creek or River at Rosendal is not fitting or Convenient for the Building of a Bridge on, and it may be found necessary to alter the Road to some more Convenient place more suitable to build the said Bridge, AND to the end there may be no delay in Building finishing and Completing the said Bridge which it is Conceived may be better and sooner Managed and done under the care and management of a few Persons than many. BE IT FURTHER ENACTED by the authority aforesaid that Abraham Van Keuren, Jacob Hasbrouck Junior, Levi Pauling, Abraham Hasbrouck, and Jacobus Bruyn, be and are hereby appointed Commissioners and they are hereby fully Authorized and Impowered to put in execution the several services intended by this Act.

AND BE IT FURTHER ENACTED by the same Authority that the said Commissioners or the Major part of them are hereby Impowered and authorized to take a Review of the Ground where the Publick Road now Crosseth the said Roundout Creek or River and also of the adjacent Ground either to the Eastward or Westward thereof between the place where the Grist Mill of Colonel Jacob Rutsen formerly stood and the place where the dwelling House of Matice Blanchan deceased formerly stood, And if the said Commissioners shall find a more suitable or Convenient place for building a Bridge than where the Road now Crosseth said River, that then and in such Case the said Commissioners or the Major part of them shall and may alter or stop up the same Road and lay out such other publick way or Road as they shall Judge most Convenient to come to the place where the said Bridge is to be Built, and as it may be usefull at some Seasons of the Year when the River is low, to make use of a Fording place near the Bridge to Cross the said River, the said Commissioners may Turn the said Road so that Travellers may make use thereof if the Bridge happens to be out of Repair or if it be thought more safe to them. PROVIDED that nothing in this Act contained shall extend or be Construed to Impower the Commissioners aforesaid to alter any part of the said Road but what shall be absolutely necessary to come to the place where the Bridge is to be built or to the nearest fording place nor to stop up the old Road until the said Bridge be finished and the

new Road made so that the same can be used by Travellers with Carriages or otherwise. And where the same Road shall happen to Cross the Improved Lands of any Person the said Commissioners shall have Regard to do the least injury the nature of the Ground will allow of.

AND BE IT FURTHER ENACTED by the authority aforesaid that the said Commissioners shall enter in writing all such alterations as they shall make in the said Publick Road in pursuance of this Act and sign the same by putting their names thereto and cause the same to be entered in the County Records by the Clerk of the Peace who is hereby directed and required to Record the same, which being so entered shall be deemed Valid and good to all Intents and purposes whatsoever.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the said Commissioners shall Nominate and appoint a proper person to be an undertaker or Manager for building the said Bridge, which Person so appointed an undertaker or Manager shall from time to time receive and pursue the Orders and Directions of said Commissioners how and in what manner the Bridge aforesaid shall be made, and the said person appointed as aforesaid is hereby obliged to observe such Orders and Directions accordingly.

AND BE IT FURTHER ENACTED by the Authority aforesaid that it shall and may be lawfull to and for the said Commissioners to agree with the Person who shall undertake to be manager as aforesaid for a sum not exceeding the sum of Ten pounds to be received by him as a reward for his care and Trouble in finding Materials Employing Workmen and overseeing the work and for keeping and rendering accounts thereof. AND the said Commissioners shall and may from time to time inspect Examine and audit all the several and Respective accounts for Workmanship and materials to be employed for and towards the making the Bridge before mentioned, and for all such accounts as they shall find Just and do allow of as such the said Commissioners or the Major part of them shall Issue their warrant or warrants for THE same under their hands and Seals directed to the County Treasurer who is hereby required to pay and discharge the same in Course out of the Monies received by him by Vertue of this act. and the payment of all such warrants with proper Receipts thereon from the respective persons to whom they are payable shall be good and Sufficient Vouchers to the said Treasurer for so much as in such warrants shall be mentioned and Expressed.



AND BE IT FURTHER ENACTED by the Authority aforesaid that the said County Treasurer at the Request of the Supervisors aforesaid shall Render unto them a true account of the disposition of the Money come into his Hands by virtue of this act, And in case there shall be any part left of the Money in the Treasurers hands after the finishing the said Bridge, all such overplus shall be Employed by the Supervisors for and towards the payment of their annual County Charge.

AND BE IT ENACTED by the Authority aforesaid That It shall and may be Lawfull for the said Commissioners or the Major part of them to allow the Person or Persons through whose Improved Lands the said Road shall happen to be laid out to hang good easy swinging Gates on the same where they shall think It needfull such Person or Persons maintaining the same at their own Costs.

[CHAPTER 1318.]

[Chapter 1318 of Van Schaack, where the title only is printed.]

An Act to enable the Freeholders and Inhabitants of the County of Cumberland to chuse and elect six Constables for the said County.

[Passed, December 19 1766.]

WHEREAS the Freeholders and Inhabitants of the County of Cumberland cannot by virtue of their respective Charters or Letters Patents elect Constables for their respective Towns till the times fixed in the said Charters or Patents for chusing the same, by reason whereof there are no Constables at present to serve a Summons Warrant or other Process within the said County.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council, and the General Assembly, and It is hereby enacted by the Authority of the same that the Freeholders being Inhabitants of the said County shall be and hereby are Authorized and impowered to meet at the Township of Chester in the County aforesaid on the first Tuesday in April next and then and there to Chuse and Elect by Plurality of Voices, six Constables to serve for the space of one Year and such Persons so chosen and elected as aforesaid shall serve as Constables throughout the said County for the space of one year from the time they shall be so Chosen and elected as aforesaid, and every such person or persons so chosen and elected as aforesaid as shall refuse or neglect to qualify and serve shall forfeit for every such Offence the sum of Forty shillings to be recovered before any one of his Majesty's

Justices of the Peace for the said County by any Person or Persons who shall sue and prosecute for the same AND in case of such neglect or refusal it shall and may be lawful for any four of the Justices of the Peace of the said County to nominate and appoint some fit Person or Persons to execute the said Office of Constable in the Room and place of such Person OR Persons as shall refuse or neglect as aforesaid. AND every such Person or Persons as shall be so nominated and appointed by the said Justices as aforesaid shall serve as Constable or Constables, throughout the said County for the space of one Year from the time of their nomination and appointment as aforesaid, and shall be subject and liable to the like Penalty for neglecting or refusing to serve as those elected and chosen by the said Freeholders in manner aforesaid.

AND IT IS FURTHER ENACTED by the Authority aforesaid that the fine or fines imposed by this Act shall be applied for the maintenance of the Poor of the said County any Law Usage or Custom to the contrary notwithstanding.

PROVIDED ALWAYS that Nothing in this Act shall be deemed or construed to take away abridge or Change the Powers of choosing Constables granted by Letters Patent under the Great Seal of this Colony to any of the Townships within the said County.

#### [CHAPTER 1319.]

[Chapter 1319 of Van Schaack, where the act is printed in full.]

An Act for Naturalizing John Plantin,  
John Clear, William Russel, John Styers,  
Lawrence Schuler, Nicholas Timmerman, and  
Simon Shurger

[Passed, December 19, 1766]

WHEREAS the abovenamed Persons have by their several Petitions presented to the General Assembly desired that they may be Naturalized and become his Majesty's Liege Subjects and Settlers in this Colony.

BE IT THEREFORE ENACTED by his Excellency the Governor and the Council and the General Assembly, And it is hereby enacted by the Authority of the same that the beforementioned several Persons and each and every of them shall be and hereby are declared to be Naturalized to all Intents Constructions and purposes whatsoever; and from henceforth and at all times hereafter shall be intituled to have and enjoy all the Rights and Liber-

ties Privileges and Advantages which his Majesty's natural born Subjects in this Colony have and enjoy or ought to have and enjoy as fully to all Intents and purposes whatsoever as if all and every of them had been born in this Colony.

PROVIDED ALWAYS and it is hereby further Enacted by the Authority aforesaid that all and every and each of the above mentioned Persons shall take the Oaths appointed by Law instead of the Oaths of Allegiance and Supremacy, subscribe the Test, and make, repeat, swear to, and Subscribe the Abjuration Oath in any of his Majesty's Courts of Record within this Colony which Oaths the said Courts are hereby required upon application to them made to administer, take subscriptions, and cause the Names of the Persons so swearing and subscribing to be entered upon Record in the said Courts. And the said before mentioned Persons are hereby each of them required to pay the several sums hereafter mentioned, That is to say, To the Speaker of the General Assembly the sum of Ten shillings, To the Judge of such Court the sum of Six shillings, and to the Clerk of such Court the sum of Three shillings.

AND be it further enacted by the Authority aforesaid that if the said Persons or any of them having so sworn and Subscribed as aforesaid shall demand a Certificate of his or their being entered upon Record in the manner herein before directed the Court or Courts in which such Oaths and Subscriptions shall be made are hereby directed and required to Grant such under the Hand of the Judge and Seal of the said Court or Courts in which such Oaths and Subscriptions as aforesaid shall be made countersigned by the Clerk of the said Courts, For which Certificate each of them shall pay over and above the sums above mentioned the sum of six shillings, one half to the Judge of such Court or Courts and the other half to the Clerk thereof, which Certificate or Certificate shall be at all Times to the Person or Persons therein named a sufficient Proof of his or their being Naturalized by Virtue of this act in as full and effectual a manner as if the Record aforesaid was actually produced by the Person or Persons so named in such Certificates.

PROVIDED ALSO and be it enacted by the Authority aforesaid that such of the Persons hereby Naturalized as shall not take the Oath Test and Abjuration in manner herein before directed within Twelve Months next after the Publication hereof shall have no manner of benefit by this Act, any thing herein contained to the Contrary notwithstanding.

AND BE IT ENACTED by the same Authority that the Publick Printer of this Colony shall and hereby is directed and required to print this act as if the same were a Publick act of this Colony.

TWENTY-NINTH ASSEMBLY.

*Twelfth Session.*

(Begun May 27, 1767, 7 George III, Sir Henry Moore, Governor.)

[CHAPTER 1320.]

[Chapter 1320 of Van Schaack, where the title only is printed.]

An Act granting unto His Majesty the Sum of Three thousand Pounds for furnishing necessaries for the Troops Quartered within this Colony And for paying Captain Philip Martin the losses he sustained in the House of Major James on the first of November One thousand seven hundred and sixty five.

[Passed. June 6, 1767.]

WHEREAS it hath been represented that His Majesty's Services requires provision to be made for Quartering His Troops in this Colony and the General Assembly having agreed to provide for the same

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly And it is hereby Enacted by the authority of the same That the Treasurer of this Colony shall Out of the Ballance of One thousand nine hundred and twenty one Pounds five shillings and two pence three farthings remaining in his hands by virtue of an act Entituled "An Act empowering John Cruger Robert R. Livingston Phillip Livingston Leonard Lispenard and William Bayard Esquires to receive from the Colony of Pensilvania the sum of four thousand and three hundred and Sixty Eight pounds two Shillings and six pence Sterling overpaid to the said Colony out of the Parliamentary grant for the service of the Year One thousand seven hundred and sixty" AND out of the monies now in the Treasury by virtue of an Act passed in the Eighth Year of the Reign of His late Majesty King George the Second Entituled An Act "to lay a Duty of Tonnage On the Vessels and for the time therein Mentioned" Pay unto His Excellency Thomas Gage, commander in chief of his Majesty's Forces in North America or

his order or to the Commander in chief for the time being or ord the sum of Three thousand Pounds to be applied for furnish Necessaries for His Majesty's Troops Quartered within the Colony.

AND WHEREAS Captain Philip Martin has suffered damage by the late unhappy disturbances which happened on the first November One thousand seven hundred and sixty five And the General Assembly having agreed to make compensation for the same

BE IT ENACTED by the authority Aforesaid that the Treasurer of this Colony shall and he is hereby directed and required out of the monies arisen or to arise by virtue of the aforesaid Act Entituled "An Act to lay a duty of Tonnage on the Vessels and "for the time therein mentioned" Pay unto Captain Philip Martin or to his order the sum of One hundred and twenty the Pounds thirteen Shillings and Nine pence half penny Sterling money of Great Britain at the current Exchange. in full compensation for his said losses sustained on the said first day of November One thousand seven hundred and sixty five

AND BE IT ENACTED by the Authority Aforesaid that the Treasurer shall keep exact Books of his Receipts and Payments by virtue of this Act And a true and Just account thereof shall RENDER upon oath to the Governor or Commander in chief for the time being the Council or the General Assembly when called upon by them or either of them thereunto required.

#### [CHAPTER 1321.]

[Chapter 1321 of Van Schaack, where the act is printed in full]

An Act to Impower Commissaries to Settle a line of Jurisdiction between this Colony and the Province of the Massachusetts Bay

[Passed. June 6 1773]

WHEREAS a controversy has long subsisted between the Colony and the Province of the Massachusetts Bay concerning their Boundaries and the extent of their Jurisdiction to the great detriment of both and the Contests arising therefrom having already been Attended with Bloodshed are likely to be produced of the most mischievous consequences to prevent which appears necessary that a line should be Run for a line of Jurisdiction between this Colony and the Province of the Massachusetts Bay by the mutual consent and authority of the Legislatures



both Governments. Therefore and to further His Majesty's gracious design Signified to the General Assembly by His Excellency the Governor to put an end to these disorders.

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby enacted by the authority of the Same that the Honorable William Nicoll Speaker of the General Assembly The Honorable Robert R. Livingston and William Smith Junior Esquires shall be Commissaries on the part of this Colony who shall have full power and are hereby authorized to agree with the Commissaries appointed on the part of the Massachusetts-Bay on a line to be Run for a line of Jurisdiction between the two Colonies to which line the Jurisdiction of this Colony shall extend and no further Eastward providing that the Jurisdiction of the Province of the Massachusetts Bay be limited in like manner and after such a line is agreed upon by the Commissaries on both sides the Commissaries appointed by this act are hereby empowered and authorized to employ such surveyor or surveyors Chain bearers and such and so many other Persons that may be found Necessary to perform the Executive part to run Mark and ascertain the said Line in conjunction with such as may be Appointed for that purpose on the part of the Province of the Massachusetts Bay

And be it further enacted by the same authority that provision shall be made for paying the reasonable expences that shall Accrue on the part of this Colony in performance of the Services aforesaid when the amount thereof shall be known by some future Act or Acts to be passed for that purpose

#### [CHAPTER 1322.]

[Chapter 1322 of Var. Schenck, where the act is printed in full. See chapters 908, 939, 1096 and 1150.]

An Act to Revive the several Acts therein mentioned relating to Absconding and fraudulent Debtors

[Passed, June 6, 1767.]

WHEREAS An Act Entituled "An Act to prevent frauds in Debtors" passed in the Twenty fifth Year of the Reign of His late Majesty King George the second And also an Act Entituled "An Act to continue an act Entituled An Act to prevent frauds in Debtors With an addition thereto" passed in the Twenty Seventh Year of His Said late Majesty's Reign and since continued by an Act passed in the Thirty third year of the said Reign

Entituled "An act further to continue an act Entituled An Act to "prevent frauds in Debtors together with the Act therein mentioned" Expired on the first day of January last past And the said Acts having been found by experience to be of great Utility and advantage

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby enacted by the authority of the same that the said two first mentioned Acts shall be and hereby are Revived and every Clause matter and thing in the said two Acts contained Enacted to be and remain in full force from the Publication hereof until the first day of January which will be in the Year of our Lord One thousand seven hundred and seventy five

AND BE IT ALSO ENACTED by the same authority that an Act passed in the Second Year OF His present Majesty's Reign Entituled "An Act more effectually to impower the Trustees of "fraudulent & absconding Debtors appointed or to be "Appointed pursuant to an Act Entituled An Act to prevent "frauds in Debtors to exercise the powers they are or may be "invested with and for more effectually extending the said Act "to Creditors not residing within this Colony" Shall be and hereby is declared and Enacted to be and remain in full force until the said first day of January which will be in the Year of our Lord One thousand seven hundred and seventy five and no longer

#### TWENTY-NINTH ASSEMBLY.

*Thirteenth Session.*

(Begun Nov. 17, 1767, 8 George III, Sir Henry Moore, Governor.)

#### [CHAPTER 1323.]

[Chapter 1323 of Van Schnack, where the title only is printed.]

An Act for making a further Provision of fifteen hundred Pounds for furnishing his Majesty's Troops quartered in this Colony with Necessaries.

[Passed, December 21 1767.]

BE IT ENACTED by his Excellency the Governor, the Council, and the General Assembly, and it is hereby enacted by the Authority of the same. That the Treasurer of this Colony shall pay and he is hereby directed and required out of any Money in the Treasury not appropriated for the support of the Govern

ment of this Colony to pay such Sum or Sums of Money as shall from Time to Time be necessary for quartering his Majesty's Troops in this Colony, on Warrant or Warrants to be drawn for that purpose by his Excellency the Governor or Commander in chief for the Time being; by and with the Advice and Consent of his Majesty's Council; provided the whole Sum so to be drawn for does not exceed the Sum of fifteen hundred Pounds.

AND BE IT ENACTED by the Authority aforesaid That the Treasurer shall keep exact Books of his payments by Virtue of this Act, and a true and just Account thereof shall render on Oath to the Governor or Commander in chief for the Time being, the Council, or the General Assembly when by them or any of them thereunto required.

[CHAPTER 1324.]

[Chapter 1324 of Van Schaack, where the title only is printed. See chapter 1300. Continued by chapter 1357.]

An Act further to Continue An Act  
Entitled. "An Act for Granting to His  
Majesty the Several Duties and impositions  
"on Goods, Wares, and Merchandizes  
"imported into this Colony therein men-  
"tioned."

[Passed, December 24, 1767.]

WHEREAS the Several Duties and Impositions on Goods Wares and Merchandizes imported into this Colony, and Granted for the Support of the Government of his late Majesty King George the Second, by the above mentioned Act, have by Several Subsequent Acts, been continued to the first day of January next, And the General Assembly being Willing to make provision for the further support of His Majesty's Government of this Colony.

BE IT THEREFORE ENACTED by His Excellency the Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same, that the above mentioned Act Entitled. "An Act for Granting to His Majesty the Several Duties and Impositions on Goods Wares, and Merchandizes Imported into this Colony therein Mentioned," passed in the twenty Seventh Year of his late Majesty's Reign, shall be and hereby is continued and every Clause Matter and thing therein contained, Enacted to be and Remain in full force to all intents Constructions and Purposes whatsoever, until the first day of January which will be in the year of our Lord One thousand Seven Hundred and Sixty Nine inclusive.

## [CHAPTER 1325.]

[Chapter 1325 of Van Schaack, where the chapters 676 and 933.]

An Act to revive  
"Act for laying an  
"Liquors retailed in

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WHEREAS an Act, intituled, "an Act  
"all Strong Liquors retailed in this C  
twelfth Year of the Reign of her late Ma  
by several subsequent Acts continued to  
her, in the Year of our Lord one thousa  
sixty seven; is now expired; and the  
Experience been found usefull and neede  
Assembly therefore pray that it may be e

Be it enacted by his Excellency the Gov  
the General Assembly and it is hereby en  
of the same; that the before mentioned A  
"laying an Excise on all strong Liquors  
shall be and hereby is revived and every C  
therein contained: enacted to be and rep  
publication hereof until the first day of  
seven hundred and Eighty.

## [CHAPTER 1326.]

[Chapter 1326 of Van Schmaek, where the title  
January 1, 1769. Provided for by chapter 1241.]

An Act further  
Entitled "An Act for  
"of the Colony of New

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BE IT ENACTED by His Excellency the  
and the General Assembly, and it is b  
Authority of the Same, that the aforesaid  
"for Regulating the Militia of the Colony  
in the fourth Year of His present Majest  
hereby is Continued; and every Clause, A  
in the said Act contained, ENACTED to  
force and Virtue, to all intents, construct  
soever until the first day of January whic  
Our Lord One thousand Seven Hundred

[CHAPTER 1327.]

[Chapter 1327 of Van Schaack, where the title only is printed. Van Schaack states that this act was vetoed by the king, in council, December 2, 1770.]

An Act to declare the Extension of several Acts of Parliament made since the Establishment of a Legislation in this Colony; and not declared in the said Act to extend to the Plantations.

[Passed, December 24. 1767.]

WHEREAS divers Acts of Parliament passed since the Establishment of a Legislature in this Colony, have nevertheless been practised upon us extending to this Colony; tho' they are not declared in the said Acts to extend to the Plantations; and sundry Acts have been since passed, which it would be expedient to extend to this Colony; And it being conducive to the common Weal, as well as agreeable to his Majesty's most gracious Intentions; that the Laws of this Colony should conform as nearly as Possible to the Laws of England; therefore and to prevent all Doubts and Scruples relative to former proceedings, wether Consonant to the Law as it stood before or since the passing such modern Statutes.

BE it enacted by his Excellency the Governor, the Council and the General Assembly and it is hereby enacted by the Authority of the same; that the several Acts of Parliament or so much thereof as are hereinafter particularly mentioned shall be deemed to be in full Force and Effect within this Colony; to wit the fifth, sixth and seventh Sections of an Act made in the first Year of the Reign of King James the second, entitled "an Act for reviving" and continuance of several Acts of Parliament therein mentioned; together with the several Acts of Parliament, by the "said fifth Section made perpetual." Also an Act made in the second Year of King William and Queen Mary, intitled, "an Act" for enabling the Sale of Goods distrained, for Rent, in case the "Rent be not paid in a reasonable Time." ALSO one Act of Parliament made in the third and fourth Years of the Reign of King William and Queen Mary, intitled "An Act for relief of Creditors" "against fraudulent Devises." Also the twelfth Section of an Act of Parliament made in the fourth and fifth Years of the Reign of King William and Queen Mary intitled, "An Act for" "reviving, continuing and explaining several Laws therein men-



"tioned, which are expired and near expiring." Also an Act of Parliament made in the fourth and fifth Years of King William and Queen Mary intituled, "An Act for delivering Declarations to Prisoners." Also an Act made in the fifth and Sixth Years of King William and Queen Mary, intituled, "An Act to take away the Process for the Capiatur Fine in the several Courts at Westminster, except what relates to six Shillings & Eight Pence to be paid by the Plaintiff in Satisfaction of the said Fine." Also the second Section of one Act passed in the Sixth and seventh Years of King William the third, intituled, "An Act for continuing several Laws therein mentioned." Also all the Clauses, but the eleventh, twelfth and thirteenth of an Act of Parliament passed in the Seventh Year of King William the third, intituled, "An Act for regulating of Tryals in Cases of Treason and Misprison of Treason." Also an Act made in the eighth and ninth Years of King William the third, intituled, "An Act for the better preventing Frivolous and Vexatious Suits." Also an Act made in the tenth and eleventh Years of King William the third, intituled, "an Act for limiting certain Times within which Writs of Error shall be brought for the reversing Fines, Common Recoveries and Antient Judgments. Also one other Act of Parliament in the same Year last mentioned, intituled, "an Act to enable Posthumous Children to take Estates as if born in their Fathers life time." Also one Act of Parliament made in the first Year of the Reign of Queen Ann, entitled "an Act for punishing of Accessaries to Felonies and receivers of Stolen Goods; and to prevent the wilfull burning and destroying of Ships." Also the first, second and third Clauses of an Act passed in the third and fourth Years of the Reign of Queen Ann, intituled, "an Act for giving like Remedy upon promissary Notes as is now used upon Bills of Exchange; and for the better payment of Inland Bills of Exchange." Also one Act passed in the Fourth Year of Queen Anne, intituled, "an Act for the Amendment of the Law; and the better advancement of Justice." Also the third Section of one Act passed in the seventh Year of Queen Ann, intituled, "an Act for making perpetual an Act for the better preventing the counterfeiting the current Coin of this Kingdom; as also an Act for giving like Remedy upon promissary Notes as is used upon Bills of Exchange and for the better payment of Inland Bills of Exchange; and also for continuing several Acts made in the fourth and fifth Years of her Majesties Reign for prevent-

"ing Frauds committed by Bankrupts." And also an Act passed in the Eighth Year of the Reign of Queen Ann, intituled, "An Act for the better Security of Rents and to prevent Frauds committed by Tenants." And also another Act of Parliament passed in the ninth Year of Queen Ann, intituled, "An Act for the better preventing of excessive and deceitfull Gaming;" excepting the Eighth Clause of the said Act. "And also an Act for the amendment of Writts of Error and for the further preventing the Arresting or reversing of Judgments after Verdict;" passed in the fifth Year of King George the First. And also one Act of Parliament passed in the second Year of the Reign of King George the second, intituled, "An Act for the more effectual preventing and further Punishment of Forgery, Perjury and Subornation of Perjury and to make it Felony to Steal Bonds, Notes or other Securities for payment of Money;" except the second Clause thereof. And also one other Act of Parliament passed in the Fourth Year of the Reign of King George the second, intituled, "An Act for the more effectual preventing Frauds committed by Tenants and for the more easy recovery of Rents and renewal of Leases." And also one Act of Parliament passed in the Sixth Year of the Reign of King George the second, intituled, "An Act for the relief of Parishes and other places from such Charges as may arise from Bastard Children born within the same." And also one Act of Parliament passed in the seventh Year of the Reign of King George the second, intituled, "An Act to settle how far Owners of Ships shall be answerable for the Acts of the Masters or Mariners." Also one Act of Parliament passed in the Year last mentioned, intituled "An Act for the more easy Redemption and Foreclosure of Mortgages." And also one Act of Parliament passed in the Year last mentioned, intituled, "an Act for the more effectual preventing the forging the Acceptance of Bills of Exchange or the Numbers or Principal Sums of accountable Receipts for Notes, Bills or other Securities for payment of Money or Warrants or Orders for payment of Money or delivery of Goods." Also one Act passed in the twelfth Year of the Reign of King George the Second, intituled, "an Act for explaining and amending an Act made in the eighth Year of the Reign of King Richard the second, intituled no Man of Law shall be Justice of Assize or Goal delivery in his own Country: And another Act made in the thirty third Year of the Reign of King Henry the eighth, intituled an Act that none shall be Justice of Assize in his own Country &c."

And also one Act of Parliament passed in of the Reign of King George the second, in "der prosecutions for Perjury and Suborn "easy and effectual." And also one Act of the twenty sixth Year of the Reign of King George the third, intitled, "An Act to confirm certain Acts of the Justices of the Peace being of the Queen's Bench, in any defect in not expressing therein that the Justices are of the Quorum."

AND BE IT FURTHER ENACTED by His Majesty that no Recovery, Verdict, Judgment, Sentence, Indictment, Presentment, Informa-tion, Execution, nor any Plaint, Process or Writ of Equity; had, made, given, taken or done in any Court within this Colony shall be avoided or reversed on account of any defect in not expressing therein that the Court is of the Quorum, or either of the Acts of Parliament above-mentioned supposed to extend or not having been supposed to extend to this Colony: And that all Bills of Exchange, Promissory Notes, and Assignments and Conveyances shall be as Valid and effectual in the Law as the Acts of Parliament abovementioned had and shall have full Force within this Colony from the date of the passing thereof.

AND BE IT FURTHER ENACTED by His Majesty that this Act shall not only print this Act, but also all the Acts hereby extended.

AND BE IT FURTHER ENACTED by His Majesty that this act shall continue in force within this Colony hereof until the first Day of January in the year of our Lord one thousand seven hundred and eighty and no

[CHAPTER 1328.]

[Chapter 1328 of Van Schaack, where the chapter 1330.]

An Act further  
entitled. "An Act to  
"on Vessels for defray  
"Light House on Sand

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BE IT ENACTED by His Excellency the Governor and the General Assembly, and It is the Authority of the same, that the Act, Entit-  
"Duty of Tonnage on Vessels for defray

"Light House on Sandy-Hook" passed in the fourth year of the "Reign of His present Majesty, shall be and hereby is continued in full force and Virtue, to all intents and purposes, until the first day of January which will be in the Year of our Lord One Thousand seven Hundred and Sixty Nine.

[CHAPTER 1329.]

[Chapter 1329 of Van Schaeck, where the act is printed in full. See chapter 1134.]

An Act to Continue An Act Entitled "An Act for making process in Courts of Equity effectual against Mortgagors who abscond, and cannot be served therewith, or who refuse to appear."

[Passed, December 24, 1767.]

BE IT ENACTED by His Excellency the Governor, the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, That the Act Entitled, "An Act for making process in Courts of Equity effectual against Mortgagors who abscond and cannot be served therewith, or who refuse to appear, passed in the first year of His present Majesty's Reign, shall be and is hereby continued, and every Article, Clause, Matter and thing therein contained, shall be and remain in full force until the first day of January which will be in the year of Our Lord One thousand Seven Hundred and Eighty, and as to all such Suits which shall be brought or commenced during the Term aforesaid, until the same shall be finally Determined

[CHAPTER 1330.]

[Chapter 1330 of Van Schaeck, where the title only is printed. See chapter 1215. Continued by chapter 1362.]

An Act to Continue An Act Entitled "An Act to Regulate the Pilots and Establish their Pilotage between Sandy Hook and the port of New York, and Other purposes therein mentioned."

[Passed, December 24, 1767.]

BE IT ENACTED by His Excellency the Governor, the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that the Act Entitled, "An Act to Regulate the Pilots and Establish their Pilotage, between Sandy Hook and the port of New York, and Other purposes

"therein mentioned." passed in the fourth year of the Reign of His present Majesty, shall be and hereby is continued, and every Clause, Matter and thing therein contained, Enacted to be and remain of Force, to the first day of January, which will be in the year of our Lord One thousand Seven Hundred and Sixty Nine,

[CHAPTER 1331.]

[Chapter 1331 of Van Schaack, where the act is printed in full. See chapter 1192.]

An Act further to Continue An Act Entitled, "An Act to prevent Frauds in the Sale of Damaged Goods Imported into this Colony."

[Passed, December 24, 1767.]

WHEREAS the Act to continue An Act Entitled, "An Act to prevent Frauds in the Sale of Damaged Goods Imported into this Colony." will by it's own Limitation expire the first of January next.

BE IT ENACTED by His Excellency the Governor the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same, that the Act passed in the first year of the Reign of His present Majesty Entitled "An Act to prevent Frauds in the Sale of Damaged Goods Imported into this Colony." shall be and hereby is further continued in full force and Virtue to all intents and purposes to the first day of January which will be in the year of our Lord One thousand Seven Hundred and Seventy five.

[CHAPTER 1332.]

[Chapter 1332 of Van Schaack, where the act is printed in full. See chapter 1213.]

An Act to Continue An Act Entitled, "An Act to revive an Act entitled "An Act to prevent the bringing in and spreading Infectious Distempers in this Colony with an addition thereto."

[Passed, December 24, 1767.]

BE IT ENACTED by His Excellency the Governor, the Council and the General Assembly, and it is hereby Enacted by the Authority of the Same, that the Act entitled. "An Act to revive "An Act entitled An Act to prevent the bringing in and spreading Infectious Distempers in this Colony with an Addition thereto." shall be and hereby is continued, and every Clause therein contained Enacted to be and remain in force until the



first day of January which will be in the Year of our Lord One thousand Seven Hundred and Seventy five.

[CHAPTER 1333.]

[Chapter 1332 of Van Schaack, where the act is printed in full. See chapter 1285.]

An Act further to continue an Act,  
intituled "an Act for the more equal Taxation  
"of Estates in the City of Albany."

[Passed, December 24, 1767.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly, and it is hereby enacted by the Authority of the same; that the Act, intituled "an Act for the "more equal Taxation of Estates in the City of Albany;" passed in the fourth Year of his Majesty's Reign, shall be, and hereby is continued; and every Clause, Matter and Thing therein contained, Enacted to be and remain of Force until the first day of January; which will be in the Year of our Lord one thousand seven hundred and Seventy Five.

[CHAPTER 1334.]

[Chapter 1334 of Van Schaack, where the title only is printed. See chapter 1317.]

An Act for raising the Sum of Fifty  
Pounds for and towards the finishing of a  
Bridge over the Roundout Creek or River at  
or near Rosendal in the County of Ulster.

[Passed, December 24, 1767.]

WHEREAS the Monies raised in the County of Ulster; by Virtue of an Act, intituled "an Act for building a Bridge over the "Roundout Creek or River at or near Rosendal in the County of "Ulster;" hath been found insufficient for the finishing the said Bridge.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council and the General Assembly; and it is hereby enacted by the Authority of the same; that for and towards the finishing the said Bridge it shall and may be lawfull; to and for the Supervizors of the said County of Ulster or the Major part of them; and they are hereby directed and required at their next annual Meeting to raise the Taxes of the said County: To add the Sum of Fifty Pounds to the Tax then to be raised; on the Freeholders and Inhabitants of the said County of Ulster; and order

the same to be raised, levied, collected and paid in the same manner and Form; and under the same Restrictions as the other publick, necessary and contingent Charges of the said County are: and the County Treasurer is hereby enjoyn'd and required from Time to Time to pay out of the said Money so to come into his hands by Virtue of this Act; All such Sum or Sums of Money as shall be ordered by The Commissioners named in the aforesaid Act, intituled, "an Act for building a Bridge over the Roundout Creek or River at or near Rosendal in the County of Ulster;" and shall be accountable for the disposition of the said Money in the same manner as if the same had been raised by Virtue of the aforesaid Act.

[CHAPTER 1335.]

[Chapter 1335 of Van Schaack, where the title only is printed.]

An Act for the Payment of the Salaries of the several Officers of the Government, and of other Services, and for the better securing the Public Funds of this Colony.

[Passed, January 13, 1763.]

BE IT ENACTED by his Excellency the Governor, the Council, and the General Assembly and it is hereby Enacted by the Authority of the same that the Treasurer of this Colony shall be and hereby is directed and required out of the Monies arisen or which may arise by virtue of the following ACT Vizt: "AN ACT for Granting unto his Majesty the Several Duties and Impositions on Goods Wares and Merchandizes imported into this Colony therein mentioned:" to Pay.

UNTO his Excellency the Governor for administering the Government of this Colony from the first day of September one thousand seven hundred and sixty seven to the first day of September one thousand seven hundred and sixty eight after the Rate of two thousand Pounds per Annum.

UNTO his said Excellency the Governor for providing Fire-Wood and Candles for his Majestys Garrison in Fort George in the City of New York from the first day of September one thousand seven hundred and sixty seven, to the first day of September one thousand seven hundred and sixty eight the Sum of four hundred Pounds

UNTO his said Excellency the Governor for Monies by him expended on his Journey to settle the Line of Jurisdiction

between this Colony, and the Province of Quebeck, the Sum of three hundred and seventy nine Pounds eleven shillings and seven pence.

UNTO the Chief Justice of this Colony for his Services in that Station and for going the Circuits from the first day of September one thousand seven hundred and sixty seven to the first day of September one thousand seven hundred and sixty eight after the Rate of three hundred Pounds per Annum.

UNTO the Second Justice of the Supreme Court of this Colony for his services in that Station and for going the Circuits from the first day of September one thousand seven hundred and sixty seven to the first day of September one thousand seven hundred and sixty eight after the Rate of two hundred Pounds per Annum.

UNTO the Third Justice of the Supreme Court of this Colony for his Services in that Station and for going the Circuits from the first day of September one thousand seven hundred and sixty seven, to the first day of September one thousand seven hundred and sixty eight, after the Rate of two hundred Pounds per Annum.

UNTO the Fourth Justice of the Supreme Court of this Colony for his Services in that Station, and for going the Circuits from the first day of September one thousand seven hundred and sixty seven, to the first day of September one thousand seven hundred and sixty eight after the Rate of two hundred Pounds per Annum.

UNTO the Secretary of this Colony for the time being for engrossing and enrolling the Acts of the Governor, Council and General Assembly from the first day of September one thousand seven hundred and sixty seven, to the first day of September one thousand seven hundred and sixty eight the Sum of thirty Pounds.

UNTO the Clerk of the Council for the time being for his Services in that Station from and to the time aforesaid the sum of thirty Pounds.

UNTO the Doorkeeper of the Council for the time being for his Services in that station from and to the time aforesaid the Sum of twenty Pounds.

UNTO William Weyman as Publike printer of this Colony for his services in that Station from and to the time aforesaid after the Rate of fifty Pounds per Annum.

UNTO John Kip as Gauger of Liquor in this Colony, or to the Gauger thereof for his Services in that Station from and to the Rate of thirty Pounds per Annum.

UNTO Thomas Hill and Josiah Smith or to the Land and Tide Waiters for the Services in that Station, from and to the Rate of fifty Pounds per Annum each of

All which aforesaid several Sums of Money the Treasurer on Warrants Issued by his Excellency the Commander in Chief for the time being at the Advice and consent of his Majesty's Council the Receipts of the several persons and Warrants, shall be to the Treasurer good Vouchers for so much as shall be thereby acknowledged.

AND BE IT ENACTED by the Authority of the Treasurer shall be and hereby is directed that the Fund aforesaid to pay the several allowances.

UNTO the Executors or Administrators of the Estate of Peter Esquire Deceased late Treasurer of this Colony from the first to the first of September last, after the Rate of three hundred Pounds per Annum, and his or their Receipt to the Discharge.

UNTO Frederick De Peyster Esquire of this Colony from the twenty first day of January 1784 when Abraham Lott Esquire appointed Treasurer of this Colony be Qualified into the said Office, after the Rate of one hundred Pounds per Annum.

UNTO Abraham Lott Esquire appointed Treasurer of this Colony for his Services in that Station from the first of January 1784 be Qualified in the said Office to the first of January 1785 at the Rate of one thousand Seven hundred and sixty eight hundred Pounds per Annum.

UNTO the said Abraham Lott Esquire for his Services which he will be obliged to perform in the Duty of that Office, after the Rate of the said one thousand Seven hundred and sixty eight hundred Pounds per Annum. Which said Sum of Money thereof shall be Really and truly due and payable by Frederick De Peyster Esquire and his Executors, or to their Executors or Administrators for so much in their Accounts.

UNTO Robert Charles Esquire Agent for this Colony in Great Britain as a Reward for his care Trouble and Diligence in attending upon his Majesty and his Ministers of State in that Station from the first day of September one thousand seven hundred and sixty seven to the first day of September one thousand seven hundred and sixty eight, after the Rate of five hundred Pounds per Annum, which said sum or so much thereof as shall be really and truly due, shall be paid unto the said Robert Charles or to his Executors, Administrators or assigns by an Order of the General Assembly of this Colony signed by their Speaker for the time being and nor Otherwise.

UNTO John Tabor Kempe Esquire his Majestys Attorney General of this Colony for several extraordinary Services performed by him in that Station the Sum of One hundred and fifty Pounds.

UNTO Abraham Lott Clerk of the General Assembly for his services in that Station from the first day of September one thousand seven hundred and sixty seven, twenty Shillings per Diem payable upon a Certificate from the General Assembly signed by the Speaker of the number of Days he has served or may serve the General Assembly

UNTO the said Abraham Lott for sundry Disbursements by him made for the use of the General Assembly the sum of fifteen Pounds.

UNTO Alexander Lamb Doorkeeper of the General Assembly for his Services in that Station from the first day of September one thousand Seven hundred and sixty seven, to the first day of September one thousand seven hundred and sixty eight, six shillings per Diem, payable upon a Certificate from the General Assembly signed by their speaker for the Number of Days he has served or may serve the General Assembly.

UNTO the said Alexander Lamb for providing sundry Necessaries for the use of the General Assembly the sum of thirty Pounds.

UNTO John Martin for his Services as Gunner and Store Keeper of the Colony Stores from the twenty eighth day of July one thousand seven hundred and sixty six, to the twenty eighth day of July one thousand seven hundred and sixty seven, the Sum of twenty Pounds.

UNTO Barnet Ratzer for making an actual Survey and Map of the City of New York and It's environs the Sum of two hundred Pounds.



AND BE IT ENACTED by the Authority aforesaid that answering the Expences of Contingencies and extraordinary Emergencies that have or may happen for the Services of this Colony from the first day of September one thousand seven hundred and sixty seven to the first day of September one thousand seven hundred and sixty eight, Warrants may Issue for the same on the Treasurer from time to time if drawn by his Excellency the Governor or Commander in Chief for the time being with the Advice and consent of the Council which the Treasurer is hereby ordered and directed to pay out of the Monies arising by virtue of the Act herein before mentioned, Provided the amount of the said Warrants do not exceed the Sum of one hundred Pounds during the time.

AND BE IT ENACTED by the authority aforesaid that the Treasurer of this Colony shall out of the Fund aforesaid, pay the several Sums following, that is to say.

UNTO the Honorable William Smith Junior, William Nicolls and Robert R. Livingston Esquires appointed Commissaries on the part of this Colony by virtue of an Act passed the sixth day of June, one thousand seven hundred and sixty seven. Entitled "AN ACT to Impower Commissaries to settle a Line of Jurisdiction between this Colony and the Province of the Massachusetts Bay," for their Services in that Station, and for going to New Haven to meet and consult with the Commissaries on the Part of the Massachusetts-Bay the Sum of Seventy five Pounds unto each of them.

UNTO the said William Smith Junior Esquire for procuring several Records and Evidences relative to the aforesaid Line of Jurisdiction before the said Commissaries proceeded to New Haven, the Sum of thirty Pounds.

UNTO Goldsbrow Banyar Esquire for sundry Copies from the Records in the Secretaries Office of this Colony, relative to the said Line, as per his Account the Sum of forty eight Pounds ten Shillings and Nine pence.

UNTO Abraham Lott Esquire for sundry Services by him performed at the Request of William Smith Junior Esquire relative to the said Line as per his Account the Sum of seven Pounds five Shillings and three Pence.

UNTO Rudolphus Ritzema Esquire for Services by him performed in Translating sundry Dutch Records relative to the aforesaid Line, as per his Account the Sum of Twenty one Pounds one Shilling.

UNTO Gerard Bancker Clerk to the aforesaid Commissaries on their Journey to New Haven aforesaid, for his Services and Expences in that Station, as per his Account the Sum of thirty one Pounds fourteen Shillings and ten Pence.

AND in order that said Abraham Lott appointed Treasurer of this Colony may be the better enabled to pay the several foregoing allowances.

BE IT ENACTED by the Authority aforesaid that the Executors of Abraham Depeyster Esquire Deceased late Treasurer of this Colony shall pay, and they are hereby ordered directed and required to pay unto said Abraham Lott immediately upon his giving the security herein after required the Sum of one thousand one hundred and eighty five pounds eight shillings and one farthing being the Ballance due to this Colony from the said Executors on the twenty first day of September last, on the several Funds for supporting his Majestys Government in this Colony as appears by their account thereof delivered to the General Assembly dated the Eighth day of December one thousand seven hundred and sixty seven.

AND BE IT FURTHER ENACTED by the Authority aforesaid that Fredrick DePeyster Esquire who has acted as Treasurer since the decease of the said Abraham DePeyster Esquire shall also pay unto the said Abraham Lott the whole Amount of the Duties granted for the support of his Majestys Government in this Colony, and entered in the Treasury Office during the time of his acting in the said Office.

AND the Receipt of the said Abraham Lott to the said Executors, and to the said Fredrick DePeyster shall be good Vouchers and Sufficient Discharges, to them for so much as there shall respectively be acknowledged to be received thereby.

AND BE IT ENACTED by the Authority aforesaid that the Treasurer shall and he is hereby directed to keep exact Books of his several receipts and Payments in virtue of this Act and shall render true and distinct Accounts thereof upon Oath to his Excellency the Governor or Commander in Chief for the time being, the Council or the General Assembly when by them or any of them thereunto required.

AND WHEREAS it appears by a general Account laid before the General Assembly that there is due to Andrew Gautier and others for work done to and Materials furnished for the upper Barracks in the City of New York for the more convenient

Reception of his Majestys Troops, the Sum of fifty Pounds eleven shillings and five pence also the Sum of three hundred and two shilling and five pence due to the said And Hampton and others for Work done to and for his Majestys Fort George and the Barrack which no Provision hath hitherto been made

BE IT THEREFORE FURTHER ENACTED by the aforesaid, That the following Ballances are to say, the Ballance of one hundred and six shillings and six pence in the Treasury by an Act in the seventh Year of the Reign of his late Majesty the first entitled "An Act for a Supply of Money for supporting his Government in New York during the time therein mentioned" by an Act of the General Assembly of this Province granted to his Majesty for supporting the Province of New York from the first day of January in the Year of our Lord one thousand seven hundred and twenty, until the first day of July, one thousand seven hundred and twenty one," the Ballance of one hundred and four pounds eleven shillings and four pence remaining out of the five thousand Pounds lodged in the Treasury on the first day of January, one thousand seven hundred and fifty five, by an Act in the twenty eighth year of the Reign of King George the second entitled "AN ACT for raising the Sum of five thousand Pounds by a Tax on Estates in the said Province for putting this Colony into a proper State for furthering his Majestys designs against Spain and America, and other the purposes therein mentioned" by an Act of the said Assembly entitled "Bills of Credit for the like sum, and for redeeming the said Bills in short Periods" the Sum of one hundred and eighty one Pounds remaining due of an Act passed in the second year of the said King George the second Reign Entitled "AN ACT directing the Treasurer to pay the commander in Chief of all the Forces in North America the Sum of four thousand nine hundred and ninety Pounds for his Majestys Service" by an Act of the said Assembly entitled "Majesty shall think Proper." And the Sum of fifty six Pounds ten Shillings and three pence now in the Treasury by Virtue of an Act

Year of the Reign of his late Majesty King George the Second entitled "An ACT to lay a Duty of Tonnage on the Vessels and "for the time therein mentioned." Shall be and hereby are applied for paying the said Sums of Six hundred and fifty Pounds eleven shillings and five pence three farthings, and three hundred and twenty three Pounds one shilling and five pence, and the Executors of Abraham DePeyster Esquire late Treasurer of this Colony are hereby ordered directed and required to pay the same in manner following that is to say.

UNTO the said Andrew Gautier the said Sum of Six hundred and fifty Pounds eleven Shillings and five pence three farthings, of which he shall retain in his own hands for carpenters Work done and Materials found for the said upper Barracks as per his Account the Sum of two hundred and ninety five Pounds Sixteen shillings and eight pence three farthings, and the residue of the said Sum he shall pay as follows that is to say. To George Willis for Masons work done and Materials found for the use aforesaid the Sum of eighty nine Pounds thirteen shillings and six pence, to William Winterton for Mason's Work done and materials found for the use aforesaid the sum of One hundred and two Pounds twelve Shillings and two pence half penny, to Daniel Ten Eyck for Smith's work for the use aforesaid the Sum of Eleven Pounds two Shillings and six pence; to John Montanye for Painting and Glazing the said Barracks, the Sum of one hundred and twenty eight Pounds five Shillings and nine pence half penny, and to Dirck Brinckerhoff Esquire the Sum of twenty three Pounds and eight pence half penny, for Ironmongery for the use of the said Barracks.

AND UNTO the said Andrew Gautier and Jonathan Hampton the said Sum of three hundred and twenty three Pounds one Shilling and five pence of which they shall and may retain in their own hands for Carpenters Work done and Materials found for the use of his Majesty's Fort George and the Barracks nigh the Battery in this City the Sum of two hundred and eighteen Pounds seven Shillings and ten pence half penny, and the residue of the said Sum they shall pay as follows, that is to say, to William Winterton for Mason's Work done and Materials found for the use aforesaid the Sum of Sixty Pounds Nine Shillings and an half penny, To Daniel Ten Eyck for Smiths Work done for the use aforesaid the Sum of Seven Pounds eleven shillings and eight pence half penny, to Gilbert Forbes for his Account of Ironmon-

gery for the use aforesaid the sum of eleven pounds ten shillings and two pence and to Daniel Ebbets for his account of Painting and Glazing the Sum of twenty five Pounds two shillings and seven pence half penny.

AND the Receipt of the said Andrew Gantier and Andrew Gantier and Jonathan Hampton shall be good Vouchers and sufficient discharges to the said Executors for so much as shall be acknowledged to be Received thereby.

AND for the better securing the Public Funds of this Colony, out of which the Officers of Government are supported.

BE IT ENACTED by the Authority aforesaid that the Treasurer of this Colony for the time being shall before he enters on the execution of his Office find two or more sufficient sureties to be approved of by the General Assembly for the time being, who together with the said Treasurer shall give a Bond to the Speaker of the General Assembly for the time being, by which they their Heirs Executors and Administrators shall be jointly and Severally bound in the Sum of thirty thousand Pounds to be paid to the Speaker of the General Assembly for the time being, on this Condition that if the said Treasurer his Heirs Executors or Administrators shall Account to his Excellency the Governor or Commander in Chief, the Council or the General Assembly for the time being whenever thereunto required by either of them for such Monies as shall come into his hands by Virtue of any Law or Laws of this Colony now or which hereafter shall be in force, and shall pay the same as directed by such Law or Laws and shall pay the Ballance of what may be due from him to the Colony as Treasurer either in Law or equity into the hands of such Other Treasurer as shall hereafter be appointed and directed to Receive the same, then the Obligation to be Void, Otherwise to continue in full force.

AND BE IT ENACTED by the Authority aforesaid that on failure of the Condition aforesaid or any part thereof the Speaker of the General Assembly of this Colony for the time being is hereby Authorized and required to put the said Bond in suit, and shall and may Lawfully prosecute and Maintain such Suits or Suits in the name of the Speaker of the General Assembly of the Colony of New York, and no Suit or Suits on the Bond aforesaid shall be discontinued on Account of his Death or the Dissolution of the General Assembly, but such Suit or Suits shall continue and be prosecuted to effect by the new Speaker, and on a Dissolution of the General Assembly by the last Speaker till the Election



of a New Speaker in the name of the Speaker of the General Assembly, provided that nothing in the said Bond shall exempt the Treasurer from accounting for and paying all Monies which may come into his hands, and be due from him as Treasurer but the same shall and may be Sued for in like manner as the Bond aforesaid is hereby directed to be Sued, and the Suit or Suits for such Monies shall in case of the Death of the Speaker, or the Dissolution of the General Assembly as aforesaid continue and be prosecuted in like manner as if commenced on the said Bond, and the Monies recovered in every such Suit or Suits brought on the said Bond or in Virtue of this Act the Speaker shall retain in his hands until disposed of by some future Act or Acts of the Legislature of this Colony.

## [CHAPTER 1336.]

[Chapter 1336 of Van Schaack, where the act is printed in full. See chapters 766 and 767.]

An Act to relieve the Cities and Counties of this Colony by the speedy trial of petty offenders.

[Passed, January 13, 1773.]

WHEREAS the Supreme Court at the City of New York has but four Terms in a year and the Assizes for the Delivery of Jails are ordinarily held in each County but once in a Year whereby the Charge of maintaining Prisoners detained for Trial is become very burdensome and such as are acquitted are greatly oppressed, and they and their Families often ruined, and whereas towards a Remedy for these Mischiefs divers Acts have been long since passed for the speedy punishing and releasing Persons committed for Offences under the Degree of Grand Larceny, But the same being found to be not Sufficient for the purposes thereby intended.

BE IT THEREFORE ENACTED by the Governor, the Council and the General Assembly, And it is hereby Enacted by the Authority of the same, that every Person guilty of the felonious and fraudulent taking and carrying away of the meer personal Goods of Another of the value of five Pounds or under lawful Money of this Colony shall and may (except in such Cases where the Benefit of the Clergy is taken away) be proceeded against as Offenders in petty Larceny now are by Virtue of any former Act or Law of this Colony and not otherwise, any Law usage or Custom to the Contrary notwithstanding.

## [CHAPTER 1337.]

[Chapter 1337 of Van Schaack, where the title only is printed]

An Act to empower the Mayor and Aldermen of the City of New York the Major part of them to Order the a Sum not exceeding Fourteen Pounds, for the uses therein mentioned

[Passed, January 11]

WHEREAS the providing a Sufficient number of Watchmen and Lighting of Lamps within the City of New York has been found convenient but also necessary for the safety of the Inhabitants and others.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that the Mayor and Aldermen of the City of New York for the time being the Major part of them, whereof the Mayor or Recorder or either of them shall have full power and Authority, and are hereby Impowered and Authorized on the Second Tuesday in March next to Order the raising a sum not exceeding fourteen Pounds by a Tax upon the Estates Real and personal of every the Freeholders Freemen, Inhabitants, Resident Sojourners within the City of New York on the South Side of the Water, for the payment of so many Watchmen as the Mayor and Aldermen and Commonalty of the City of New York shall think Necessary for Guarding the City and for purchasing repairing and Attending the Lamps which now are or may be erected and add the same Sum of fourteen Pounds to the Sum which shall be raised for the Minister and poor of the said City, which Tax so to be laid shall be Assessed at the same time, and by the Vestrymen who shall Assess the Tax for the Minister and poor of the said City shall be rated together in One Assessment made of the said City by the Vestrymen first taking the Oath prescribed to be taken in an Act entitled An Act to enable the Inhabitants of the City of New York to Chuse two Vestrymen for each ward within the said City made and passed in the Nineteenth year of the Reign of his late Majesty King George the second so to be made shall be collected levied and paid at the same time as the Tax for the Maintenance of the Minister and

the said City hath been Accustomed into the hands of the Church Wardens of the said City for the time being who are hereby required and directed to pay the same into the hands of the Chamberlain of the said City to be by him paid as he shall be directed by Warrant or Warrants of the said Mayor Aldermen and Commonalty in Common Council Convened for the uses aforesaid.

AND BE IT FURTHER ENACTED by the Authority aforesaid that over and above the Sum of fourteen hundred Pounds to be levied and paid by Virtue of this Act the Sum of three pence in the pound as a Reward to the Constables for their trouble shall be Assessed levied and paid to the respective Constables for collecting and paying the same and no more. According to the true Intent and meaning of this Act any thing herein or in any Other Act or Acts contained to the contrary hereof in any wise notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if the said Mayor Recorder or Aldermen, the Church Wardens, Vestrymen or Constables of the said City of New York who are hereby Authorized Impowered and required to take effectual care that this Act be executed according to the true Intent and meaning thereof or any of them shall deny refuse or delay to perform Execute or comply with all or any of the powers, Authorities and duties in this Act given and required to be done and performed by them or either of them and thereof shall be Lawfully convicted in any Court of Record in this Colony he or they so denying refusing or delaying to perform the duties as aforesaid shall suffer such pains and penalties by fine and imprisonment as by the discretion of the said Court shall be adjudged.

AND BE IT FURTHER ENACTED by the said Authority that if any person or persons shall Wilfully break or damage any of the Lamps now Erected or hereafter to be erected within this City he she or they so offending shall forfeit the Sum of Twenty Pounds for every Lamp he she or they shall damage or break as aforesaid to be levied by Warrant or Warrants under the hands and Seals of two or more of his Majesty's Justices of the Peace for the City and County of New York by distress and Sale of the Offenders Goods and Chattels on due Conviction made upon the Oath of one or more credible Witness or Witnesses rendering the overplus if any there be to the Owner or Owners, and for want of

such distress the Offender or Offenders Warrant under the hands and Seals of the hereby required to Issue the same for the unless the said forfeiture or forfeitures applied to and for the use and Maintenance paying the Watchmen.

AND IT IS HEREBY FURTHER ENJOINED aforesaid, that all such persons as shall the said City and attend the Lamps shall from and Obey such orders as they shall receive from the said Mayor, Aldermen and Commonalty Law or usage to the contrary hereof in any

[CHAPTER 1338.]

[Chapter 1338 of Van Schaack, where the full act are printed. See chapter 1963.]

An Act to enlarge the Powers of the Constables of the City of New York to be raised in the said City for the effectual collecting of the Taxes assessed.

[2]

WHEREAS in and by an Act made in the Ninth Year of the Reign of his late Majesty George the Second, intituled "an Act for the further improving more effectual the two Acts therein they relate to the City of New York; It is among other Things that if any Constable of the City and County of New York to whom the said Taxes shall be delivered shall not Collect the Monies in such Roll or Rolls and shall neglect, refuse or delay to pay the same in such Roll or Rolls mentioned except he shall have in his Hands so much Money as in and by the said Act is allowed for his and their collection and Also so much as by a Committee of the said City shall be allowed for the Poor and before the twenty fifth day of March then next after the publication of the said recited Act and so on the fifth day of March hereafter then and

should and might be lawfull and the Church Wardens of the City and County of New York are thereby strictly Commanded and required to apply to the Mayor or Recorder and one or more Aldermen who are thereby respectively Authorized and impowered in a summary Way to hear, try and determine the same and upon conviction the Sum so unpaid by such Constable or Constables respectively shall be leyed and raised on the Goods and Chattels of the Offender or Offenders and for want of Goods and Chattels thereon to distrain than to commit the Offender or Offenders to the common Goal without Bail or main prize there to remain until the sum of Money found in arrear together with the Costs attending the same be paid and satisfied; Which Time allowed for collecting in and paying the said Taxes hath been found too short for Remedy whereof

BE IT ENACTED by his Excellency the Governor, the Council and the General Assembly and it is hereby enacted by the Authority of the same that if any Constable or Constables of the said City and County of New York to whom the Roll for collecting the Taxes in Virtue of any Act for settling a Minister and raising a Maintenance for them in the City of New York County of Richmond, Westchester and Queens County and an, Act intituled "An Act for the better explaining and more effectual putting in Execution an Act of the General Assembly," intituled "an Act for settling a Minister and raising a Maintenance for them in the City of New York, County of Richmond, Westchester and Queens County," or in Virtue of any Other Act or Acts of this Colony by which any Money shall be directed to be raised with and added to THE Money to be raised for the Minister and poor of the said City or either of them shall not Collect or having Collected the Monies in such Roll or Rolls assessed or set down and shall neglect, refuse or delay to pay the amount or Total Sum in such Roll or Rolls mentioned except retaining in his or their Hands so much Money as in the said Acts is or shall be allowed for his and their Collecting, receiving and paying the same and also so much as by a Committee of the Justices and Vestrymen shall be allowed for the Poor and insolvent and that on or before the twenty fifth Day of April next ensuing the Publication hereof and so on or before the twenty fifth day of April in every Year forever hereafter then and in such Case every such Constable that shall not Collect the said Monies or having Collected the same shall neglect refuse or delay to pay the same



shall be proceeded against and dealt with as in and by the first recited Act is appointed and directed any Thing in the said first recited Act to the Contrary hereof notwithstanding.

AND WHEREAS sundry Persons in the City of New York who were taxed and rated by the Vestrymen chosen on the second Tuesday in January last for raising Money for the Minister and Poor of the said City and for providing Watchmen and lighting Lamps in the said City and for keeping in Repair the Public Roads and for raising Money towards Building a Bridewell & Work House have not paid the respective sums which they are taxed rated and assessed at, and as the Times for paying in the said Monies are elapsed Doubts have arisen whether the respective Constables of the said City to whom the said Tax Rolls and Warrants were delivered for collecting the same can now compel the several Persons so taxed Assessed and rated and who have not hitherto paid now to pay the same for remedy whereof.

BE IT ENACTED by the Authority aforesaid that it shall and may be lawfull to and for every Constable in the City of New York to whom the Tax Roll or Rolls for collecting the Taxes Assessed by the Vestrymen of the said City chosen on the second Tuesday in January now last past has been delivered for Collecting the said Taxes or such other Constable to whom the said Tax Roll or Rolls shall be delivered by any two of the Justices of the Peace for the said City to collect from the several Persons who have been taxed assessed and rated as aforesaid and who have not hitherto paid the same the respective sums which the said Persons are so taxed assessed and rated at. AND for the more easy recovery of the said Taxes now in arrear it shall and may be lawfull to and for any two of his Majesty's Justices of the Peace for the City and County of New York to issue their Warrants to such respective Constable to whom the said Tax Roll or Rolls have been or shall be delivered empowering him and them to Collect the said Taxes and upon refusal of payment thereof to levy the same by distress and sale of the Goods and Chattles of the Person or Persons so refusing together with the Costs of making the said Distress.

AND WHEREAS by the Act, intituled "An Act to empower and enable the Mayor Recorder and Aldermen of the City of New York for the Time being or the Major Part of Them to order the raising a sum not exceeding one thousand pounds by a Tax on Estates real and Personal in the said City for the purpose

therein mentioned, which is for building a Bridewell or Work House in the said City no Provision is made nor Power given nor method prescribed in case the Constables having had the Tax Roll delivered them and having been remiss in Collecting or having collected the same have refused or delayed to pay the Money by them Collected into the Hands of the Chamberlain as by the said Act is directed

BE IT THEREFORE FURTHER ENACTED by the Authority aforesaid that if any Constable or constables of the said City of New York to whom the Roll for Collecting the Tax laid by Virtue of the said last mentioned Act to raise Money towards building a Bridewell or Work House in the said City has been or shall be delivered shall not collect or having collected the Monies in such Roll assessed or set down and shall neglect refuse or delay to pay the Amount or Total Sum in such Roll mentioned except retaining in his or their Hands so much Money as in the said Act last above mentioned is allowed for his Collecting receiving and paying the same and also so much as by a Committee of the Justices and Vestrymen shall be allowed for the Poor and Insolvent and also so much as they shall adjudge he or they could not get or ought not to be chargeable with or Accountable for and that on or before the twenty fifth Day of April now next ensuing that then and in such Case it shall and may be lawfull to and for the Mayor or Recorder and one or more Aldermen in a summary way to hear try and determine the same and upon Conviction the Sum so unpaid by such Constable or Constables respectively shall be raised and levied on the Goods and Chattels of the Offender or Offenders by Warrant under the Hands and Seals of the Magistrates before whom such offender or offenders shall be convicted and if no Goods or Chattels shall be found on which to distrain it shall and may be lawfull to and for the Magistrates who heard and determined the Matter to Commit the Offender or Offenders to the common Goal without Bail or mainprize there to remain till the sum of Money found to be in arrear by the Magistrates before whom the Conviction was had together with the Costs attending the same be paid and satisfied which Sum or Sums of Money so to be recovered by Virtue hereof shall be paid into the Hands of the Chamberlain of the City of New York to be by him paid as he shall be directed by Warrant or Warrants of the Mayor, Aldermen and commonalty of the City of New York in common Council convened for and towards building a Bridewell or Work House.

[CHAPTER 1339.]

[Chapter 1339 of Van Schaack, where the act is printed in full. Amended as to Ulster and Orange counties by chapters 1396.]

An Act to prevent the destruction of  
Deer by Blood Hounds or Beagles in the  
Counties of Albany, Ulster and Orange

[Passed, January 13, 1763]

BE IT ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby enacted by the Authority of the same, that if any Person or Persons whatsoever shall be found out of his or their inclosed Land within the Counties of Albany, Ulster or Orange from and after the publication of this Act having with him or them a Blood Hound or Blood Hounds, Beagle or Beagles every such Person shall forfeit and pay the Sum of two Pounds for every such Blood Hound or Beagle that shall be found with him without his inclosed Lands, the one half of which forfeiture shall be for the Use of him or her who shall inform and sue for the same before any one of his Majesty's Justices of the Peace within either the said Counties who is hereby impowered and required to hear and determine the same, and to convict the Offender or Offenders by the Oath of Affirmation of one or more credible Witnesses, and the other half shall be to the Use of the Poor in the District where the forfeiture arises; and for want of Effects to answer the aforesaid Fine of two Pounds the Offender to be committed by the said Justice of the Peace to the common Goal of the County where the Offence was committed for the Space of one Month if not sooner discharged by paying the said Fine.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that it shall and may be lawfull for any Person or Persons whatsoever to kill or destroy any Blood Hound or Beagle that shall be found without the inclosed Lands of the Owner or Owners of such Blood Hound or Beagle.

AND BE IT FURTHER ENACTED by the Authority aforesaid that this Act shall be in force from the publication hereof till the first Day of January which will be in the Year of our Lord one thousand seven hundred and seventy three.

## [CHAPTER 1340.]

[Chapter 1340 of Van Schaack, where the act is printed in full.]

An Act for chusing Constables in King's, Queen's and Richmond Counties; Collectors in the Towns of Oysterbay and Hempstead; and to fix Places for the Election of Town Officers in Richmond.

[Passed, January 12, 1768.]

WHEREAS Doubts have arisen concerning the Power of chusing Constables in King's, Queen's, and Richmond Counties from whence Inconveniencies are apprehended.

BE IT ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby enacted by the Authority of the same, that it shall and may be lawfull, from and after the publication of this Act For the Freeholders and Inhabitants of each respective Town and Precinct in the Counties aforesaid, at their annual Town Meetings, held on the first Tuesday of April for electing Town Officers to elect at the same time by Plurality of Voices, one, or if necessary, two Constables for each Town and Precinct in the respective Counties aforesaid; and every Person so elected as aforesaid shall serve as Constable for the then ensuing Year, or until there be another chosen and qualified, according to Law in his Room and stead; and every Person so chosen who shall refuse or neglect to qualify and serve as above directed when thereunto required by any one Justice of the Peace shall forfeit the Sum of Five Pounds, with Costs to be recovered by Warrant issued by said Justice directed to the Constable thereafter to be appointed, by distraining the Goods and Chattels of the Offender; and the said Constable after six Days publick Notice is given by him, that the Goods distrained are to be sold, shall make Sale thereof, and return the Overplus (if any there be) to the Owner or Owners; and the Forfeiture to be applied by the said Justice for the Use of the Poor of that Town or Precinct where such Forfeiture shall arise; and in case of such refusal or Denial as aforesaid, it shall and may be lawfull for any two Justices of the Peace for the County where it happened, to appoint some fit Person or Persons to execute the Office of Constable for the said Place or Places, where such refusal or Neglect shall be made, by Virtue of this Act as aforesaid, and

every such Constable or Constables so elected, chosen, appointed as aforesaid shall have the same Powers, and be subject to the same Fines and Forfeitures as the other Constables for the several Towns & Precincts in the said Counties & Vested with or liable to

AND BE IT ENACTED by the Authority aforesaid that the Freeholders and Inhabitants of the County of Richmond or the major Part of them, shall on the first Tuesday in April after the Publication of this Act, ascertain and fix in each respective Precinct the Place or Places for holding their annual Elections of their Town officers.

AND BE IT ENACTED by the Authority aforesaid, that the Freeholders and Inhabitants of the Towns of Hempstead and Oysterbay in Queen's County, respectively, are hereby empowered if they think proper at their annual Town Meetings as aforesaid by plurality of Voices, to chuse two Collectors for each Town and to ascertain the Limits of each of them, any Law, Usage, Custom to the contrary notwithstanding.

#### [CHAPTER 1341.]

[Chapter 1241 of Van Schaack, where the title only is printed.]

An Act for the raising a Sum, not exceeding the Sum of three hundred Pounds, for repairing and amending the County Hall and Goal in Suffolk County.

[Passed, January 13, 1762.]

BE IT ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby enacted by the Authority of the same, that for, and towards repairing and amending the County Hall and Goal in the County of Suffolk, and for no other Use or Purpose whatsoever; it shall and may be lawful to, and for the Supervisors or the major Part of them of the said County; and they are hereby required and directed to meet at the County Hall in said County on the last Tuesday in March next; and at said meeting to issue out their Warrants for assessing, levying, and collecting of and from the several and respective Freeholders, Inhabitants and Sojourners within the said County a Sum, not exceeding the Sum of three hundred Pounds to be assessed, levied and collected in the same Manner as the other yearly and contingent Charges of the said County are.



AND BE IT ENACTED by the Authority aforesaid, that the Money so to be raised by Virtue of this Act, shall be paid by the several and respective Collectors unto Richard Miller, Isaac Post and Parker Wickem Esquires or the Major Part of them who are hereby impowered and appointed, for ordering, managing and directing how, and in what Manner the said County Hall and Goal shall be repaired and amended; and the said Persons so impowered and appointed or the major Part of them are hereby directed and required to observe the same accordingly; and also shall from Time to Time inspect, examine and audit all the Accounts for Workmanship and Materials to be employed towards repairing and amending the said County Hall and Goal; and of the due disposition of the said Sum of Three hundred Pounds or so much thereof as shall come into their Hands: They the said Persons so impowered and appointed as aforesaid shall render true Accounts thereof upon Oath unto the Supervisors of said County when thereunto required.

[CHAPTER 1342.]

[Chapter 1342 of Van Schaack, where the act is printed in full. See chapter 1267.]

An Act to continue an Act, intituled "An Act for the better laying out regulating and keeping in repair common and publick Highways in Richmond County."

[Passed, January 13. 1768.]

WHEREAS an Act, intituled "An Act for the better laying out, regulating and keeping in repair common and publick Highways in Richmond County;" passed in the fourth Year of his present Majesty's Reign, will expire by its own Limitation on the first of January next; and the same having been found very usefull and Necessary.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby enacted by the Authority of the same, that the above mentioned Act, intituled, "an Act for the better laying out, regulating and keeping in Repair common and publick Highways in Richmond County," shall be, and hereby is continued; and every Article, Matter, and Clause therein contained, enacted to be, and remain in full Force until the first day of January one thousand seven hundred and Eighty.

## [CHAPTER 134]

[Chapter 1343 of Van Schaack, where the

An Act to imp  
the Towns of Hemp  
Queens County to  
for the better regu  
Sheep feeding on th  
such stray Sheep as  
of parting.

WHEREAS there is a large Tract of  
within the Township of Hempstead and  
ship of Oysterbay commonly called and  
Hempstead Plains; which said plain is  
Number of People of said Towns, and the  
made Use of as a common Pasture for  
necessary that the Freeholders of  
impowered to make such Rules and Reg  
parting their Sheep and disposing of the  
left at their general parting.

BE IT THEREFORE ENACTED by  
ernor, the Council and the General Ass  
enacted by the Authority of the same, th  
Towns of Hempstead and Oysterbay  
impowered at their annual Town Meeting  
such prudential Orders, Rules and Regu  
of the Freeholders, assembled shall thi  
parting and seperating their Sheep feed  
great Plains commonly called Hempst  
impose such penalties on the Offenders  
Rules and Regulations as the Majority o  
said Towns respectively, shall from Tim  
sary, provided the Penalty do not exceed  
lings for each Offence which said Order  
being entred on the publick Registers of  
shall be good and valid to all intents and  
be altered or made Void by the Majority.

AND BE IT FURTHER ENACTED  
said, that the Freeholders of the

assembled as aforesaid, shall be, and hereby are enabled and impowered to elect and make choice of one or more Person or Persons to demand, sue for and receive all the Penalties and Forfeitures which shall be incurred by the Breach of the said Orders, Rules and Regulations for the respective Town for which he or they shall be chosen; which said Penalties and Forfeitures so recovered shall be applied to such Uses as the Majority of the Freeholders of each Town respectively shall order and direct.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Freeholders of the respective Towns when assembled as aforesaid shall be and hereby are further enabled and impowered to elect and make choice of one or more Persons to sell and dispose of all such stray Sheep as shall be left at such Time of parting; and within ten days after the Sale thereof shall pay the Money arising by such Sale as aforesaid into the Hands of the respective Town Clerks, with each and every Sheep's artificial Ear Mark and Brand as near as may be, and the Sum that each Sheep sold for, retaining in his or their Hands for the Service aforesaid, the Sum of four pence for each Sheep so sold as aforesaid; and the respective Clerks shall make a full entry thereof at large in a Book provided by him for that purpose; and the Money to be paid by said Clerks unto the Person or Persons who are the proper Owners of the aforesaid Sheep; provided he or they make application within twelve Months after the aforesaid Entry; and in Case all or any of the Money shall be left in the Clerks Hands after the expiration of twelve Months as aforesaid they are hereby directed respectively to pay the same into the Hands of the respective Church Wardens of the respective Towns where the Sheep were Sold and shall be applied for the Use of the Poor in such Manner as the Majority of the Justices and Vestry of each Town shall direct; and the respective Clerks shall retain in their Hands for their Services the sum of four pence for each Sheep entred as aforesaid.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that this Act shall be and continue in Force from the Publication hereof until the first Day of January which will be in the Year of our Lord one thousand seven hundred and Seventy Five.

[CHAPTER 1344.]

[Chapter 1344 of Van Schaack, where the act is printed in full. Amended by chapter 1461.]

An Act Authorizing certain Persons therein named to settle the Line of division between the Counties of Kings and Queens County as far as the Townships of Bushwick and Newtown extend.

[Passed, January 13, 1770.]

WHEREAS the Limits of the two Counties of Kings and Queens on Nassau Island are in part controverted and unsettled and in that part a Suit of private property cannot in a Court of Law in the ordinary Courts of Justice be determined; for removal whereof, and for finally settling the said controversy.

BE IT ENACTED by his Excellency the Governor, the Council and the General Assembly, and It is hereby Enacted by the authority of the same that the Honorable John Watts Esquire, William Nicoll Esquire, and William Nicoll Junior Esquire, and are hereby appointed commissioners finally to agree and settle, run out, and ascertain a Line of division between the Counties of Kings and Queens County as far as the Townships of Bushwick and Newtown extend, and the said Commissioners or the major part of them, or the survivors or survivor of them shall be and hereby are fully authorized and empowered to meet for that purpose at such place and places within either of the said Counties, and as often as they the said Commissioners or the major part of them, or the survivors or survivor of them shall think proper, and shall be and are hereby authorized and empowered to summon and order any person or persons within the said Counties to attend at all and every of their meetings as often as they shall think proper with all and every such Books, Deeds, Papers, and Records as the said Commissioners, or the Major part of them, and the survivors or survivor of them shall from time to time think proper and direct.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the said Commissioners are hereby authorized and empowered to settle and Ascertain the said Line of division at such place or places as they or the major part of them, or the survivor of them shall think most convenient, and any one or more person or persons shall be chosen and appointed

survey and run out all such Line or Lines as the said Commissioners or the Major part, or the Survivors or survivor of them shall direct.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the said Commissioners, or the major part of them, or the survivors or survivor of them shall within some convenient time after the passing of this Act not exceeding one Year, run out, settle upon, agree, and ascertain a Line of division between the said Counties as far as the said Townships of Bushwick and Newtown extend, which Line so run out, settled, agreed upon and Ascertained by the said Commissioners or the major part of them, or the survivors or survivor of them shall be entered on Record in the Secretary's Office of this Colony within six Months next after it shall be so run out, agreed upon, settled and ascertained, and shall forever thereafter be deemed and taken as the division Line between the said two Towns, and also shall be and is hereby declared to be the Line of Jurisdiction between the said Counties as far as the Township of Bushwick and Newtown extend, forever hereafter.

AND BE IT FURTHER ENACTED by the Authority aforesaid that all such Expences, Cost and Charges as shall arise or Accrue in running out, and ascertaining the said Line of division, the one moiety or half part whereof, shall be paid by the Freeholders and Inhabitants of the Town of Bushwick, to be levied by the Supervisors in the usual manner the Other Taxes are raised; and the Other moiety or half part thereof to be levied by the Supervisors of Queen's County, on the Freeholders and Inhabitants of such part of said County as they or the major part of the said Supervisors shall order and direct, and to be raised in the usual manner the Other Taxes are raised, Except all such Expences as have been paid or shall hereafter be paid by either of the said Towns to their Council for advice or carrying on the Settlement of the said Line.

PROVIDED ALWAYS, and be it further Enacted that nothing in this Act contained shall be construed to affect any persons Title, Estate or possession but the same shall remain in the same Condition as if this Act never had passed,



## [CHAPTER 1345.]

[Chapter 1345 of Van Schaack, where the title only is printed. Expts. January 1, 1769.]

An Act for collecting the Duty of Excise on Strong Liquors retailed in this Colony from the first Day of January, One thousand seven hundred and Sixty eight, to the first Day of January one thousand seven hundred and sixty Nine, inclusive.

[Passed, February 3, 1768.]

BE IT ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby enacted by the Authority of the same, that Cornelius Clopper, shall be, and hereby is appointed Commissioner for collecting the Duty of Excise of and from the several retailers of strong Liquors within the City and County of New York, from the first Day of January one thousand seven hundred and sixty eight, to the first Day of January which will be in the Year of our Lord one thousand seven hundred and sixty Nine

AND BE IT ENACTED by the Authority aforesaid, that the said Commissioner shall as soon after the publication of this Act as he shall judge convenient appoint the several Retailers within the said City and County and direct and Ascertain what each Retailer shall pay for the said Duty, from the first Day of January, one thousand seven hundred and sixty eight, to the first Day of January one thousand seven hundred and sixty Nine, inclusive. ALWAYS PROVIDED, that the whole Sum so to be laid on the several Retailers in the said City and County, shall be the full and entire Sum of Eight hundred pounds, with the additional sum of One hundred pounds, for incidental Charges, and his Commissions, which last is to be at the rate of Five per Cent. For which said Sum of one hundred pounds, he shall account on Oath to the Mayor, Aldermen, and Commonalty of the City of New York when by them thereunto required: and if it exceeds his Commissions and incidental Charges, the Surplus thereof shall be applicable in case of the next Excise; and the said Sum of Eight hundred pounds, shall, by the said Commissioner, be paid unto the Treasurer of this Colony, on or before the first Day of January, one thousand seven hundred and sixty Nine.

AND BE IT ENACTED by the Authority aforesaid, that the several and respective persons hereafter named, shall be, and

hereby are appointed Commissioners for collecting the Duty of Excise of and from the several and respective Retailers within the several and respective Counties of this Colony hereafter mentioned; and the Harbours, Bays, and Rivers, respectively thereunto adjoining and belonging Vizt.

For the City and County of Albany, Peter Lansingh, and Guybert G. Merselius, Esquires.

For the Borough of Westchester, the Mayor, Recorder, and Aldermen of said Borough.

For the Manor of Philipsburgh, in the County of Westchester, William Davids, and Isaac Deane Esquires.

For King County, Theodorus Polhemus Esqr.

For Queen's County, Benjamin Townshend, and Samuel Clowe, Esquires.

For Westchester County, Edward Stephenson, and John Thomas Junr. Esquires.

For Dutchess County, Murray Lester, and James Duncan Esquires.

For Ulster County, Joseph Gasherie, and James McClagry Esquires.

For Orange County, Colonel Benjamin Tusteen, and Jacob Conckling Esquires.

For Richmond County, Hezekiah Wright, Joseph Bedell, and Jacob Rezeau, Esquires.

And for Suffolk County, Richard Floyd, Hugh Gelston, and Samuel Landon Esquires.

AND BE IT ENACTED by the Authority aforesaid, that the aforesaid several and respective Commissioners, or the Major part of them respectively, shall as soon as they conveniently can, after the publication of this Act, meet at the County Hall of their several and respective Counties, or at such other place or places as they the said Commissioners shall respectively appoint, for putting in Execution the powers and Authorities given by this Act; at which Time or at such other Times as they shall judge necessary, the said Commissioners, or the major part of them respectively, shall, for their own Counties and Districts, severally and respectively fix the Number, and appoint the several Retailers within their several and respective Counties and Districts, and direct and Ascertain what each retailer shall pay for the said Duty of Excise, from the first Day of January one thou-

sand seven hundred and sixty Eight, to  
one thousand seven hundred and sixty Eight.

ALWAYS PROVIDED that the Sum of  
Retailers in the City and County of Albany  
entire Sum of one hundred and twenty  
Sum of twenty Eight pounds in Addition  
of Managing the same.

On the several Retailers in the Borough of  
full and entire Sum of Ten pounds.

On the several Retailers in Westchester  
Philipsburgh the full and entire Sum of  
sum of Fifteen pounds in addition thereto  
managing the same.

On the several Retailers in Queen's County  
sum of Eighty pounds, with the Sum of  
thereto for the Charges of Managing the same.

On the several Retailers in Suffolk County  
Sum of Fifty pounds, with the Sum of  
thereto for the Charges of Managing the same.

On the several Retailers in King's County  
Sum of Thirty pounds, with the Sum of  
thereto for the Charges of Managing the same.

On the several Retailers in Dutchess County  
Sum of Forty two pounds, with the Sum of  
tion thereto for the Charges of Managing the same.

On the several Retailers in Ulster County  
sum of Thirty Eight pounds, with the Sum of  
addition there to for the Charges of Managing the same.

On the several Retailers in Orange County  
Sum of Nineteen pounds, with the Sum of  
tion there to for the Charges of Managing the same.

On the several Retailers in Richmond County  
entire Sum of Twenty pounds, with the Sum of  
Shillings in Addition thereto for the Charges of Managing the same.

AND BE IT ENACTED by the Authority of the  
aforesaid several and respective Commissions  
they enter on the execution of the power  
by this Act enter into Recognizances unto  
King, His Heirs and Successors before a  
Court, or of the inferior Courts in the following  
manner.

The said Cornelius Clopper in the penal sum of one thousand, six hundred pounds.

The said Peter Lansingh and Guysbert G. Merselius in the penal sum of two hundred and fifty Four pounds.

The said Edward Stephenson, John Thomas, William Davids and Isaac Deane in the penal sum of one hundred and twenty pounds.

The said Theodorus Polhemus in the penal sum of Sixty pounds.

The said Benjamin Townsend, and Samuel Clowes in the penal sum of one hundred & sixty pounds.

The said Richard Floyd, Hugh Gelston and Samuel Landon in the penal sum of one hundred pounds.

The said Murray Lester and James Duncan in the penal sum of Eighty Four pounds.

The said Joseph Gashrie and James M'Clagry in the penal sum of Seventy six pounds.

The said Benjamin Tusteen, and Jacob Conckling in the penal sum of Thirty Eight pounds.

And the said Hezekiah Wright, Joseph Bedell, and Jacob Rezeau in the penal sum of Forty pounds.

CONDITIONED, that they shall well and truly pay to the Treasurer of this Colony on or before the first Day of January, which will be in the Year of our Lord one thousand seven hundred & sixty Nine the several and respective sums to be laid in manner as aforesaid on the several and respective Retailers, within their several and respective Counties, exclusive of the several and respective sums by this Act allowed for the Charges of Management.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the aforesaid several and respective Retailers, shall pay the aforesaid several and respective Sums laid or to be laid on them unto the aforesaid several and respective Commissioners on or before the first Day of December one thousand seven hundred and sixty Eight, for securing which payment the said Commissioners shall respectively Oblidge the said several and respective Retailers to give such Security as they the said Commissioners shall think necessary. PROVIDED that such Retailers in the City of New York as shall be rated at Three pounds and under and such in the several Counties as shall be rated at Thirty Shillings and under shall not be permitted to have Liberty to

Retail unless they immediately pay the sums, they shall be rated at, to the auctioneers any Thing herein before contained notwithstanding

AND BE IT ENACTED by the Authority of the said Assembly that if any Person or Persons whatsoever without the License of the said Commissioners shall permit, shall sell or expose for Sale any Liquors by Retail, directly or indirectly, he or they shall for every such Offence forfeit the sum of five Shillings to be recovered by the said Commissioner or Commissioners respectively on the Oath of any One Credible Person, in the Cities of New York and Albany before the Mayor or Recorder, and in the said Cities and Borough respectively before any Justice of the Peace respectively; and if upon conviction the same shall be levied on the Goods of the Offender or Offenders, by Warrant or Warrants under the Hand and Seals of the Person or Persons before whom the same shall happen; and if no Goods and Chattels shall be found to distrain, it shall and may be lawful for the said Justice or Justices who heard and determined the Cause to commit the Offenders to Goal without Bail or Mainprize for three Months unless the Penalties are sooner paid; and the said respective Magistrate shall be and are directed and required to hear and determine the Cause in the Manner aforesaid and to give Judgment and Execution thereon, and to issue a Warrant of Commitment of Offenders, as the Case may require, in which Forfeiture shall be to the Informer, or to the said Commissioners, and one Third Part thereof to the Town, Manor or Precinct where the Offence shall be committed, to be paid into the Hands of the Churchwardens or Overseers of the Poor of the said respective place or places, or to the Officers by whom the same shall be levied, notwithstanding the Acts of this Colony to the contrary.

AND BE IT ENACTED by the Authority of the said Assembly that no several Retailers who shall be permitted to sell any Liquors by the said Commissioner or Commissioners shall so retail any strong Liquors, enter into any Contract or Bargain, or



chester, before the respective Mayors thereof; and in the several Counties in this Colony before two Justices of the Peace in the penal Sum of Twenty pounds, with sufficient Sureties in the like Sum. **CONDITIONED**, to keep an orderly House, according to Law, during the Time they shall be permitted to retail as aforesaid. And thereupon, the said respective Mayors, or the said Justices, shall grant to such Person or Persons who have entred into such Recognizance, a Licence under his or their Hands and Seals, to retail strong Liquors in such House and place as shall be mentioned therein, during the continuance of this Act: Which recognizances are to be lodged by the Person or Persons before whom the same shall be taken. *Vizt.* In the Cities of New York and Albany, and Borough of Westchester, with the Town Clerks; and in the several Counties with the respective Clerks thereof. And upon Complaint of the Breach of the said Condition, it shall be lawfull for the said Mayors and Aldermen of New York, and Albany, and Borough of Westchester respectively, or the greater Number of them; and in the Counties for the Justices of the General & Special sessions of the Peace, to suppress the Licence or Licences of such Offender or Offenders.

**AND BE IT ENACTED** by the Authority aforesaid, that in case any of the Persons who shall be permitted to Retail strong Liquors as aforesaid by the said Commissioner or Commissioners, shall presume to retail, before he, she or they have obtained a License, and entred into recognizance to keep an orderly House as aforesaid; he, she or they so offending shall respectively forfeit the Sum of six pounds, for each Offence, to be recovered in a summary Way, in the manner before directed, one Half thereof to the Informer, and the other Half to the Poor of the Town, Manor, or Precinct where the Forfeiture shall arise. And that the expence of being qualified to retail, may be within the Bounds of Moderation; **BE IT ENACTED** by the Authority aforesaid, that no more shall be taken for a Licence and recognizance in the Cities of New York and Albany, and Borough of Westchester, than the usual and accustomed Fees; and in the respective Counties than the Sum of Three Shillings.

**AND BE IT ENACTED** by the Authority aforesaid, that such Persons permitted to retail as aforesaid by the said Commissioner or Commissioners, who retail strong Liquors not to be drank in their own Houses, but carried elsewhere, shall not be obliged to enter into the recognizance, and take Licence as

aforesaid; any thing contained in this Act to the contrary notwithstanding.

AND BE IT ENACTED by the Authority aforesaid, that in case all the several Sums for which the Excise shall be Let by the several and respective Cities, Counties and Districts of the Colony, shall fall short of the sums herein before rated on the several and respective Cities, Counties and Districts, with the aforesaid incidental Charges of letting and collecting the same, then the Commissioner or Commissioners aforesaid, where such deficiencies shall happen, shall be, and are hereby empowered, to call the Retailers before them, and assess and rate such Sum or Sums upon them, as shall be sufficient to make up such Deficiencies; which said additional Sums shall be collected and paid in the same manner with the several and respective Sums first laid.

AND BE IT ENACTED by the authority aforesaid, That in case of the Death, of any of the aforesaid Commissioners, the surviving Commissioner or Commissioners where such Death may happen shall be, and hereby is and are intitled to the whole Reward, and vested with the same Powers and Authorities to execute this Act, as if no such Death had happened. And in case of the Death of all the Commissioners of any of the respective Cities, Counties and Districts, then the Sherif or Sherifs, for the time being of the Cities Counties or Districts, where such Death may happen shall be, and hereby is and are vested with all the powers and authorities given to the Commissioners by this Act, shall be under the same Regulations and intitled to the same Rewards, to all intents, Constructions and Purposes whatsoever as if they had been particularly named and appointed in this Act any Thing in this Act to the Contrary notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that all the Monies to be paid to the Treasurer of the Colony, by Virtue of this Act shall be employed for and toward cancelling the Bills of Credit struck and emitted upon the said Duty of Excise, at the Times, and in the manner directed in and by an Act, entitled "An Act for the more effectual cancelling the Bills of Credit of this Colony;" passed in the twenty second Year of his late Majesty's Reign, and to and for no other Use whatsoever.

AND BE IT ENACTED, that the Retailers in the City of New York, shall pay the Excise in three several payments, or sooner as the Commissioner and they shall agree. PROVIDE

ALWAYS, that nothing in this Act shall be construed to make void, abridge, or anywise lessen the several Rights and Privileges, granted unto the Cities of New York and Albany, and Borough of Westchester, by their respective Charters; any Thing contained in this Act to the contrary thereof notwithstanding.

AND BE IT ENACTED by the Authority aforesaid, that the Commissioner or Commissioners of each County and District, except the City and County of New York, shall at the next meeting of the Supervisors of their respective Counties, after the First day of January, which will be in the Year of our Lord, one thousand seven hundred and sixty Nine, render a true Account on Oath, to them, of all the Monies which he or they the said Commissioner or Commissioners has or have received, or shall be due to him or them on Account of the Excise for the preceding Year; and whatever Sum or Sums he or they has or have received, or shall be due to him or them above the Sum or Sums directed by this Act to be levied on their respective Counties or Districts, shall be paid to the Treasurer thereof, and applied by him towards the defraying of the County Charges of the said County, in the manner the said Supervisors shall direct: any Thing herein to the contrary Notwithstanding.

#### [CHAPTER 1346.]

[Chapter 1346 of Van Schaack, where the act is printed in full. Amended by chapter 1364. See also chapters 1437 and 1490.]

An Act directing the Executors, named, in the last Will and Testament of Abraham De Peyster Esquire, deceased, late Treasurer of this Colony: and Frederick De Peyster Esquire, to deliver all public Monies, in their Hands, to the present Treasurer of this Colony; and for other purposes therein mentioned.

[Passed, February 2, 1768.]

WHEREAS, it appears by the State of the public Accounts of this Colony, That, there are Monies in the Hands of the Executors of Abraham De Peyster Esquire, late Treasurer of the said Colony, that should be delivered to the present Treasurer, or to the Treasurer thereof, for the Time being.

BE IT ENACTED by his Excellency the Governor, the Council, and the General Assembly, and it is hereby enacted by the Authority of the same That Margaret De Peyster, James De

Peyster, Frederick De Peyster, William John Chariton and Matthew Clarkson, to the last Will and Testament of the said Esquire, deceased, and each and every of are hereby directed and required, when Abraham Lott Esquire, the present Treasurer by the Treasurer thereof, for the Time their Oaths, respectively, unto the said Treasurer, of this Colony, for the Time have come to their, or either of their Hands, public Funds of this Colony, not already by Virtue of some Act or Acts of this Colony, delivery of the said Monies acquainted in Writing, as far as have come to their particular Funds the same were received doth belong, That the said Treasurer in such Monies, when received, to the purpose of the same, as by Law, is directed the said present Treasurer, or of the Treasurer the Time being, to the said Executors, or be good Discharges to them for so much acknowledged to be received.

AND BE IT FURTHER ENACTED That the said Frederick De Peyster Treasurer of this Colony, shall, and he is required, when thereunto requested by the present Treasurer, or by the Treasurer the Time being, to deliver unto the said Abraham Lott Esquire for the Time being, upon Oath, all he has received during the Time he acted as Treasurer of this Colony; and the Receipt or Receipts of the said Treasurer of this Colony for the same, to be sufficient Discharges to the said Frederick De Peyster, as much as shall be thereby acknowledged.

AND WHEREAS there are Duties and Taxes arrears and unpaid raised by Virtue of some Act or Acts of this Colony, which it is necessary to be paid and lodged in the Treasury for the use of the Colony mentioned.

BE IT THEREFORE FURTHER ENACTED That the Executors aforesaid, or the said Abraham Lott Esquire, and Frederick De Peyster Esquire,

Treasurer, since the decease of the said late Treasurer, shall when thereunto respectively required by the present Treasurer of this Colony, or by the Treasurer for the Time being, deliver or cause to be delivered unto the said present Treasurer of this Colony, or to the Treasurer of this Colony for the Time being, exact, distinct and particular Accounts, on Oath, of all Persons indebted for the said Duties, together with the Amount of what Sums they respectively owe, as also such Securities as may have been taken for the same, That is to say the said Executors for Duties due before and during the Time, that the said late Treasurer Abraham De Peyster Esquire acted as Treasurer of this Colony, and the said Frederick De Peyster for Duties due and unpaid during the Time he has acted as Treasurer aforesaid.

AND WHEREAS there are also Monies due and owing from sundry persons in this Colony on Account of the Duty of Excise on Strong Liquors retailed in this Colony, which ought to be paid in order to sink and cancel the Bills of Credit emitted thereon.

BE IT THEREFORE FURTHER ENACTED by the Authority aforesaid, That the said Executors, of the said late Treasurer shall when thereunto required, deliver or cause to be delivered, on Oath, to the said present Treasurer of this Colony, or to the Treasurer for the Time being, a List or Account of all Persons owing Money, and how much for the said Duty of Excise, together with all Accounts and Securities for the same; And in order to inforce the due payments of the said several Duties, so in arrear and unpaid as aforesaid.

BE IT ENACTED by the Authority aforesaid, That Abraham Lott, the present Treasurer of this Colony, or the Treasurer thereof for the Time being, shall be and hereby is impowered and authorized to sue for and recover, in his own Name, all such Sums of Money, as are or shall be due for the Duties aforesaid with Costs of suit against the Person or Persons from whom the same are or shall be due, or his, her or their Heirs, Executors or Administrators, by Action of Debt, founded on this Act, to be prosecuted in any of his Majesty's Courts of Record in this Colony, in which Actions or Suits no Exsolv. Protection, Wager of Law, Privilege or more than one Imparllance, shall be allowed, and in which Actions it shall be sufficient for the Plaintiff to alledge, that the Defendant or Defendants are or is indebted to the Plaintiff, as Treasurer of the Colony of New York in the particular Sums due from such Defendant or Defendants or his, her



or their Ancestor, Testator or Intestate Whereby an Action accrued to him as Testator in New York according to the Form of the Statute in force to that effect forth the special Matter, and shall and the special Matter in Evidence and if it Sum is due for the said Duties from such persons his, her or their Ancestor, Testator Plaintiff shall have Judgment for the Money and Costs of suit PROVIDED ALWAYS the Administrator be hereby chargeable for the same if they shall or may have Assets from the Intestate to satisfy. And the said Administrator or Treasurer of this Colony, or the Treasurer thereof at any Time being, is hereby directed and commanded within Twelve Months after the publication of this Act to render an Account and Security then due for the said Suit in the Manner aforesaid. And no Suit commenced in Virtue of this Act, shall be discontinued by the Death or Removal of the present Treasurer of this Colony But such suit or suits shall be prosecuted to effect by the Treasurer for the Time being if no such Death or removal had happened.

AND BE IT FURTHER ENACTED by the said Assembly that the Executors aforesaid shall be required and directed to allow and permit the said Administrator of this Colony, or the Treasurer thereof to have free Access to and the perusal and inspection of any of the Books and Accounts of the said late Treasurer of this Colony, when and where the same shall be found Necessary by the present Treasurer or the Treasurer thereof for the Time being.

AND BE IT FURTHER ENACTED by the said Assembly that all the Money to be recovered by the said Treasurer of this Colony shall by the said Treasurer of this Colony for the Time being, be disposed of that is to say, all such Monies as shall be due by the said Treasurer of the Duties herein first before mentioned and cancelling the Bills of Credit of the said Colony and since the Year of Our Lord, one thousand seven hundred and forty Six: And all such Monies as shall be due by the said Treasurer of the Arrears of the Excise on strong

Colony, for and towards sinking and cancelling the Bills of Credit of this Colony emitted on the Credit of the said Excise Fund; Any Thing in any of the Laws of this Colony to the Contrary hereof in any wise Notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid, That Abraham Lott the present Treasurer of this Colony, or the Treasurer thereof for the Time being shall keep exact Books of all his Receipts by Virtue of this Act, and just and true Accounts thereof shall deliver on Oath to his Excellency the Governor or Commander in chief for the Time being, the Council, or the General Assembly when by them or either of them thereunto required

[CHAPTER 1347.]

[Chapter 1347 of Van Schaack, where the act is printed in full. See chapter 1321.]

An Act to expedite the final Settlement of the Controversy, relating to the Boundaries of this Colony, and the Province of the Massachusetts Bay.

[Passed, February 3, 1763.]

WHEREAS, his most gracious Majesty, by a Letter from the Right Honorable the Earl of Shelburne, one of his Majesty's principal Secretaries of State, to his Excellency Sir Henry Moore, Baronet, was pleased to recommend a Settlement of the Differences relative to the Boundaries, between this Colony, and the Province of the Massachusetts Bay, by Commissaries from each; And did thereby signify it to be his Royal Pleasure, that if the same could not be effected in that Way that his Excellency should then transmit a full and authentic Narrative of the Grounds and Progress of these Differences, as far as he could procure proper Vouchers to support it, that the whole Affair might be considered and determined in England. AND, WHEREAS Commissaries have been appointed, and did lately meet on the Business aforesaid: But no amicable Agreement is hitherto concluded: Therefore to prevent Delays, in case such Agreement should not take effect; and, that his Excellency may be effectually enabled to comply with his Majesty's said most gracious Directions.

BE IT ENACTED by his Excellency the Governor, the Council, and the General Assembly, and it is hereby enacted by the Authority of the same, That the Honorable William Smith,

Junior John Morin Scott, and James Duane Esquires, or a major part of them, the Survivors or Survivor of them, be, as they are hereby authorized, in Case no amicable Agreement shall take place for settling the Boundary aforesaid, to prepare a full and authentic Narrative of the Grounds and Progress of the Differences, relative to the said contested Boundaries; and to call all the Vouchers they can procure to support the same; and then they deliver a Copy thereof, when perfected, to his Excellency the Governor, or Commander in chief, for the Time being, and also to his Majesty's Council, and the General Assembly as required. AND as it may be expedient to have recourse, in the Service, to the Dutch Records, in the Secretary's Office; And as the Records in the Dutch Language are Many and difficult to be read by Persons not accustomed to the same; And Abraham Lott Esquire is able and Willing to make such Researches Copies and Translations, as may be requisite, if the Dutch Records are deposited in his Hands for the Use aforesaid.

BE IT THEREFORE FURTHER ENACTED, that the Secretary of this Colony, for the Time being, his Deputy, or Deputies shall upon Demand of the said Abraham Lott, deliver to him all the said Books and Records, taking his Receipt for the same which said Books and Records, so to be delivered, shall remain in his Hands until the Persons, appointed to make the said Narrative, shall certify, that they have no further Occasion to use the same: And the said Abraham Lott, upon his Receipt of the same shall make Oath, before one of the Judges of the Supreme Court that he will return the same; and effectually take Care to prevent any Rasure, Interlineation, Alteration or Diminution of the same Records, so by him received.

AND BE IT ENACTED, by the same Authority that the Persons, above appointed, to make the said Narrative, and every of them, shall have free Recourse, at their Discretion, to the said Dutch Records, or to any other Books, Papers and Records, in the Secretary's Office; And that Provision shall be made, by some future Act or Acts, for paying all such reasonable Expences, as may accrue in the Execution of the Work, that may be performed by the Persons authorized, to make the said Narrative, or any Clerk or other Persons, that may be employed under them, when their several Accounts shall be produced to the General Assembly of this Colony.

## [CHAPTER 1348.]

[Chapter 1348 of Van Schaack, where the title only is printed. See chapter 1337.]

An Act to make valid and render effectual an Act, entitled, "An Act to impower the Mayor, Recorder and Aldermen of the City of New York or the Major part of them; to order the raising a Sum, not exceeding fourteen hundred pounds for the Uses therein mentioned: passed in this present Session of General Assembly."

[Passed, February 3, 1768.]

WHEREAS an Act, entitled, "An Act to impower the Mayor, Recorder and Aldermen of the City of New York, or the major part of them to order the raising a Sum, not exceeding fourteen hundred pounds for the Uses therein mentioned;" passed in this present Sessions of the General assembly, wherein, amongst other Things, it was enacted, that the Mayor, Recorder and Aldermen of the said City of New York, or the major Part of them, whereof the Mayor or Recorder to be one, should, on the second Tuesday of this present Month of January, raise a Sum, not exceeding fourteen hundred pounds for the Uses therein mentioned; And whereas said Act was not passed until the said second Tuesday of January was elapsed.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council, and the General Assembly, and it is hereby enacted by the Authority of the same, that the above mentioned Act, entitled, "An Act to impower and enable the Mayor, Recorder and Aldermen of the City of New York, or the major part of them; to order the raising a Sum, not exceeding fourteen hundred pounds for the Uses therein mentioned;" shall be of the same Force, to all Intents, Constructions and Purposes, as if the said Act had passed before the said second Tuesday of this Month of January; and the Money therein mentioned shall and may be raised and levied, as in said Act directed, on any Day before the first Day of March next: Any Thing in the said Act to the contrary notwithstanding.

## [CHAPTER 1349]

[Chapter 1349 of Van Schaack, where the title is omitted.]

An Act for raising the Sum of two hundred Pounds for repairing the Old or New Richmond County.

BE IT ENACTED, by his Excellency the Governor in Council and the General Assembly, and it is the Authority of the same, that for and towards raising the Goal in the County of Richmond be lawfull to and for the Supervisors of the said County, a major Part of them; and they are hereby directed to meet at Richmond Town in said County in March next, and at said meeting to be for assessing, levying and collecting of a Sum from the respective Freeholders, Inhabitants and Owners of Land in said County, a Sum not exceeding two hundred Pounds to be assessed, levyed and collected in and for other necessary and contingent Charges to be Collected.

AND BE IT ENACTED by the Authority aforesaid, That the Money so to be raised by Virtue of this Act, shall be paid to several and respective Collectors, into the Hands of several Persons, as shall by the said Supervisors of the said County, be nominated and appointed for that Purpose; directing how, and in what Manner the same shall be raised or repaired; and the said Persons so nominated and appointed are hereby directed and required, to be accountable therefor therein as they shall receive from the said Supervisors a major Part of them; and shall and may from time to time examine, and audit all the Accounts for the said Purposes, to be employed for and towards the raising the Goal before mentioned and of the due Sum of two hundred and Fifty Pounds, which shall come into their Hands; and they be so nominated & appointed as aforesaid, shall take the same upon Oath, unto the Supervisors when



## [CHAPTER 1350.]

[Chapter 1350 of Van Schnack, where the act is printed in full]

An Act for Naturalizing Silvester Springer, Johan Wilhelm Ditz, Johannis Krotz, Johannis Bartel Volk, John Christian Ringland, Thomas Kleynman, Aaron De Young, Daniel Collin, Isa Moses, Henry Andrew Francken and Alexander Diaree.

[Passed, February 3, 1763.]

WHEREAS the above named Persons, have by their several Petitions, presented to the General Assembly, desired that they may be naturalized, and become his Majesty's leige Subjects and settlers in this Colony

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council, and the General Assembly, and it is hereby enacted by the Authority of the same, that the before mentioned several Persons, and each and every of them, shall be, and hereby are declared to be naturalized, to all Intents, Construtions, and Purposes whatsoever and from henceforth, and at all Times hereafter, shall be entitled to have and enjoy all the Rights, Liberties, Privileges and Advantages, which his Majesty's natural born Subjects in this Colony have and enjoy, or ought to have and enjoy, as fully to all Intents and Purposes whatsoever, as if all and every of them had been born within this Colony.

PROVIDED ALWAYS, and it is hereby further enacted by the Authority aforesaid, that each of the above mentioned Persons, shall take the Oaths appointed by Law, instead of the Oaths of Allegiance and Supremacy, subscribe the Test, and make, repeat, swear to, & subscribe the Abjuration Oath, in any of his Majesty's Courts of Record within this Colony; which Oaths, the said Courts are hereby required upon Application to them made, to administer, take Subscriptions, and Cause the Names of the Persons so swearing and Subscribing, To be entered upon Record; in the said Courts; and the said before mentioned Persons, are hereby each of them required to pay the several sums hereafter mentioned, that is to say, to the Speaker of the General Assembly, the Sum of Ten Shillings; to the Judge of such Court, The Sum of Six Shillings; and to the Clerk of such Court, the Sum of three Shillings

AND BE IT FURTHER ENACTED by the said Assembly, that if the said Persons, or any of them, who have taken the Oath, and Subscribed as aforesaid, shall demand their being entred upon Record, in the Court or Courts in which such Oaths, be made, are hereby directed and required to put the Hand of the Judge, and Seal of the Court in which such Oaths, and Subscriptions as aforesaid, are countersigned by the Clerk of the said Court, and each of them shall pay, over and above the Sum of Six Shillings, or such Court or Courts and the other half of the said Certificate or Certificates shall be paid by the Person or Persons therein named a sum of Money, for their being naturalized, by Virtue of this Act, in the same effectual a Manner as if the Record aforesaid, were produced by the Person or Persons so named.

PROVIDED ALSO AND BE IT ENACTED by the said Assembly, that such of the Persons herebefore named, who shall not take the Oath, Test, and Abjuration, directed within twelve Months next after the passing of this Act, shall have no manner of benefit by this Act, notwithstanding to the contrary notwithstanding.

AND BE IT ENACTED by the said Assembly, that the public Printer of this Colony, shall and is required to print this Act, as if the same were printed in this Colony.

#### [CHAPTER 1351.]

[Chapter 1351 of Van Scharck where the act was passed January 1, 1770. Revived by chapter 1432.]

An Act to provide for the Oaths of Qualification of Justices and Pettit Jurors, and for the Oaths of Qualification of Persons.

WHEREAS thro' a defect of Sufficient Courts of this Colony in levying Fines for the non-attendance of Constables and other Persons they are hereby directed to the Prevention and more especially in the Causes of the Court.

BE IT THEREFORE enacted by his Majesty, the Council, and the General Assembly,

by the Authority of the same, that whenever a Fine shall be imposed upon any Grand or Pettit Juror, Constable or other Person whose Duty it is to attend the Courts of this Colony for their Default or non attendance, the Sheriff who Summoned them, or Officer who returned the Pannel, shall according to the Order of the Court distrain the Goods and Chattles of the Defaulter, and sell the same at Public Vendue, and retain out of the Produce of the same, a sum equal to the Fine, with so much besides as will be sufficient to pay him a Mileage Fee of six pence for every Mile from the Defaulters House to the Court House of the County in which he resides, and shall return the Residue to the owner, which Fine he shall retain in his Hands till the Court by which the same was imposed, shall sit again, or if imposed by Commissioners of a Court of Oyer and Terminer and General Goal Delivery, till such Court be again held for that County, unless he shall be other wise directed by Order of the Court imposing the Fine.

AND BE IT FURTHER ENACTED by the same Authority that at every such Court any Officer who has received any such Fines, shall give an Account thereof under his Hand to the Clerk of the Court to be filed; and that it shall be in the Power of such Court with respect to all such Fines as then Remain in the Hands of the Officer, and not before Ordered to be by him paid into the Office of his Majesty's Receiver General, to hear the Essoins of the Parties fined in the preceding Court, and to Mitigate or Discharge the same, and to give Order according to their discretion concerning the Restitution of the same or any part thereof, provided such Essoin be made the Day of the first opening of the Court.

AND BE IT ALSO ENACTED that With Respect to all such Fines concerning which no Essoin shall be made in the time and manner above directed, and such Fines and parts of Fines, as shall not be directed to be restored after Essoin made, the Officer having the same, shall within six Kalendar Months after the same became absolute, faithfully pay the same into the Office of his Majesty's Receiver General, under the Penalty of double the sum in which the Party is fined, to be recovered by his Majesty his Heirs or Successors in An Action of Debt with Costs of Suit.

Provided always that nothing in this Act shall be construed to extend to any Fine above the Sum of Ten Pounds or to any Court for the Trial of Causes to the Value of Five Pounds and under.

AND BE IT ENACTED by the Authority aforesaid that this Act shall continue in Force from the Publication thereof till the first Day of January which will be in the year One thousand seven hundred and Seventy and no longer.

## [CHAPTER 1352.]

[Chapter 1352 of Van Schaack, where the title only is printed. See chapter 1580.]

An Act to impower Sir William Baker Knight, and Robert Charles Esquire to pay for the Statues of His Majesty, and the Right Honourable William Pitt Esquire, now Lord Chatham and also for a Piece of Plate to be presented to John Sargent Esquire

[Passed, February 6, 1768,

WHEREAS this House did at their sessions in June 1766. Resolve, that they would make provision for an Equestrian Statue of His present Majesty our Most Gracious Sovereign to be erected in this City, to perpetuate to the latest posterity the deep sense this Colony has of the Eminent and Singular Blessings derived from him during his most Auspicious Reign, and at the same time did also Resolve, that in consideration of the many Eminent and essential Services done the Northern Colonies by the Right Honourable William Pitt Esquire, particularly in promoting the Repeal of the Stamp-Act, and to perpetuate to the latest Posterity the gratefull Sense this Colony entertains on that account, that provision be made for erecting an elegant Statue of him, likewise as also that a piece of Plate of the Value of One Hundred Pounds Sterling be presented to John Sargent Esquire as a Memorial of the gratitude of this Colony in acting as Special Agent, for which he generously declined any gratuity.

AND WHEREAS in consequence of the foregoing Resolves, Robert Charles Esquire the Agent of this Province was directed with all expedition to cause the beforementioned Statue of our Most Gracious Sovereign, as well as that of the Right Honourable William Pitt Esquire, now Lord Chatham with the piece of Plate for John Sargent Esquire to be completed in the best manner, therefore to enable the said Robert Charles Esquire to discharge the payment of the same,

BE IT ENACTED by his Excellency the Governor, the Council, and the General Assembly, and it is hereby enacted by the

Authority of the same, that Sir William Baker Knight, and Robert Charles Esquire of the City of London, out of the Monies now in their hands, belonging to this Colony, pay unto Robert Charles Esquire for the Equestrian Statue of His most Sacred Majesty the Sum of One thousand pounds. for the Statue of the Right Honourable William Pitt Esquire now Lord Chatham Five Hundred Pounds, and for the piece of plate to John Sargent Esquire One hundred pounds all Sterling Money of Great Britain.

## [CHAPTER 1353.]

[Chapter 1353 of Van Schaack, where the act is printed in full. See chapter 1185.]

• An Act to remove Doubts and Scruples concerning an Act, entitled, "An Act for submitting the Property of the Lands which are held or claimed by Grants under the great Seal of this Colony, and are affected by the Controversy about the boundary or partition Line, between this Colony and the Colony of New Jersey, to such a Method of Decision, as his most gracious Majesty shall think proper, by his Royal Commission, or otherwise, to appoint: and for defraying the Expence to accrue on the part of this Colony, on the final Settlement of the said Line."

[Passed, February 6, 1768.]

WHEREAS by a certain proviso in the said Act, contained, it was and is declared, that if his Excellency the Governor, or the Commander in chief for the Time being, the Council, and the General Assembly, of the said Colony of New Jersey, should not, and did not, within one Year, next, after the publication of the said Act, pass an Act for submitting and subjecting all the Messuages, Lands, Tenements and Hereditaments; and the Rights, Titles, Interests and Property thereof, held or claimed by any of his Majesty's Subjects as being and lying within the said Colony of New Jersey to the same Method of Decision, and to be bound by such Determination and Determinations as in and by the said Act of the Governor, Council, and General Assembly of this Colony is mentioned and directed concerning Lands held or claimed by any of his Majesty's Subjects by Virtue of Grants



under the great Seal of this Colony, that, then, and in such case immediately thenceforth the said last mentioned Act, and every Article, Matter, Clause and Thing in the same contained, should be absolutely null and void, and of no Effect, to all Intents, Constructions and Purposes in the Law whatsoever as if the same had never been made and passed: Any Law, Usage or Custom to the contrary, thereof, in anywise notwithstanding; Which last mentioned Act was made and passed the eleventh Day of December in the third Year of his present Majesty's Reign.

AND, WHEREAS, altho', An Act of the Legislature of the said Colony of New Jersey was made and passed for the purposes mentioned in the said Proviso of the said Act of the Governor Council and General Assembly of this Colony within the Time limited in the said Proviso, Yet the said Act of the Legislature of the Colony of New Jersey did not receive his Majesty's Royal Assent; and thereupon after the expiration of the said last mentioned Act, and after the Expiration of a Year in the said Proviso mentioned, another Act of the Legislature of the said Colony of New Jersey was made and passed for the Purposes in the said first mentioned Act of the Legislature of New Jersey mentioned Whereupon certain Doubts and Scruples have arose concerning the Operation of the said Act of the Governor, Council, and General Assembly of this Colony: Therefore in Order to remove the same.

BE IT ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby enacted by the Authority of the same, That the said Act of the Governor, Council and General Assembly of this Colony; and all, and every Article, Clause, Matter and Thing, in the same contained, except the said Proviso, is, and shall be, and is hereby declared to be in full Force, Power and Virtue from the Day of the making and passing the same to this Day, and shall so be continued and enure, from henceforth forever, to all Intents, Constructions and Purposes, in the Law whatsoever, as if the same Proviso had never been inserted therein; Any Clause, Matter or Thing, whatsoever in the said Proviso, or any Part thereof, in any wise notwithstanding.

## [CHAPTER 1334.]

[Chapter 1354 of Van Schaack, where the title only is printed. Amended by chapter 1501.]

An Act for, the more effectual, vesting the real and personal Estate whereof Abraham De Peyster Esquire, late Treasurer of this Colony, died seized and possessed, in Trustees, for the Payment of his Debts.

[Passed, February 6, 1763.]

WHEREAS, Abraham De Peyster Esquire, late of the City of New York, deceased, was on the second Day of June, in the Year of our Lord, one thousand seven hundred and twenty one, appointed Treasurer of this Colony, and continued in the said Office of Treasurer, from that Time until his Death, AND WHEREAS the said Abraham De Peyster, together with Isaac De Peyster and Cornelius De Peyster, by the Names of Abraham De Peyster, Junior, Esquire, Isaac De Peyster and Cornelius De Peyster, Merchants, on the twenty second Day of July, in the Year of our Lord one thousand seven hundred and twenty one, entred into a certain Recognizance, before Robert Walter Esquire, then, one of the Justices of the Supreme Court of this Colony, and therein called Robert Walter Esquire, second Judge of his Majesty's Province of New York, and did thereby acknowledge themselves to be indebted to our then Sovereign Lord the King, His Heirs and Successors in the Sum of five thousand pounds, lawfull Money of New York, That is to say, The said Abraham De Peyster Junr. in the Sum of two thousand five hundred pounds, Money aforesaid, and the said Isaac and Cornelius De Peyster, Merchants, each, in the sum of one thousand two hundred and fifty pounds, to be levied upon their Goods and Chattels, Lands and Tenements, upon Condition, That if the said Abraham De Peyster, Junior, Esquire, nominated and appointed by the General Assembly of this Province to be Treasurer of the same, should receive and pay all Monies, arising, due and payable unto or by the Treasurer of this Colony by Virtue of all or any the Acts of the General Assembly of this Province; then in Force or thereafter to be made and in Force according to the Tenor, true Intent and Meaning of the said Acts; And should faithfully do, execute and perform the said office of Treasurer of this Colony during his continuance in the same according to the Pur-

port, Meaning and Intentions of all or any the said Acts, that the said Recognizance to be null and Void, otherwise to remain in full Force and Virtue. AND WHEREAS John Livingston of the City of New York Merchant on the tenth Day of April in the Year of our Lord, one thousand seven hundred and sixty five at the request of the said Abraham De Peyster became bound together with James De Peyster son of the said Abraham De Peyster and for the proper Debt of the said James De Peyster, unto the Honorable Roger Morris Esquire by their certain Bond or Obligation in the penal Sum of four thousand pounds current Money of New York, conditioned for the payment of the Sum of two thousand pounds like Money on or before the tenth Day of April then next With lawfull Interest from the date thereof; And the said Abraham De Peyster on the thirteenth Day of April in the Year of our Lord one thousand seven hundred and sixty Five by his certain Bond or Obligation became bound unto the said John Livingston in the penal Sum of four thousand pounds, like current Money as aforesaid conditioned to indemnify the said John Livingston his Heirs Executors and Administrators from all Damages that might happen to him by reason of his becoming bound for the said James De Peyster as aforesaid. AND WHEREAS the said Abraham De Peyster on the thirty first Day of October in the Year of our Lord one thousand seven hundred and sixty six, together with the said James De Peyster and for the proper Debt of the said James De Peyster by their certain Bond or Obligation became bound unto the Honorable Charles Ward Apthorpe, by the Name of Charles Ward Apthorpe of the City of New York Esquire, in the penal Sum of three thousand three hundred and Nine pounds eighteen Shillings lawfull Money of New York, conditioned for the payment of sixteen hundred and fifty four pounds nineteen Shillings, with lawfull Interest for the same on or before the first day of February then next.

AND WHEREAS the said Abraham De Peyster on the eighth Day of August in the Year of our Lord one thousand seven hundred and sixty six, together with the said James De Peyster and for the proper Debt of the same James De Peyster by their two certain Bonds or Obligations became bound to Mary Ver Planck of the City of New York Widow, the one of the said last mentioned Bonds conditioned for the payment of three hundred and Forty nine pounds eight Shillings and two pence on the first Day

of March then next with lawfull Interest; and the other conditioned for the payment of three hundred and Nine pounds four Shillings and four pence on the said first Day of March then next with lawfull Interest AND WHEREAS William Axtell of the City of New York Gentleman on the sixth Day of February in the Year of our Lord, one thousand seven hundred and sixty seven for the proper Debt of the same James De Peyster by his certain Bond or Obligation became bound to Lewis Pintard for the payment of Sixteen hundred and fifty four pounds nineteen Shillings with lawful Interest on the first Day of April then next; And the said Abraham De Peyster on the said sixth Day of February in the Year of our Lord one thousand seven hundred and sixty seven by his certain Bond or Obligation became bound to the said William Axtell in the penal Sum of three thousand three hundred and nine pounds, eighteen Shillings, with Condition That if the said James De Peyster or Abraham De Peyster should pay unto the said Lewis Pintard the said Sum of sixteen hundred and fifty four pounds nineteen Shillings with Interest thereon on or before the said first Day of April then next then the said Obligation from the said Abraham De Peyster to the said William Axtell to be Void or otherwise to stand in full Force and Virtue. AND WHEREAS the said James De Peyster hath put sundry Effects and Securities into the Hands of the said Lewis Pintard for securing the payment of the said Debt so due to the said Lewis Pintard AND WHEREAS by the Conduct of the said Abraham De Peyster in the said Office of Treasurer of this Colony the Recognizance aforesaid became forfeited. And the said Abraham De Peyster on the third Day of July in the Year of our Lord one thousand seven hundred and sixty seven made his last Will and Testament in due Form of Law, and therein and thereby did order all his just Debts to be paid and satisfied and did give and devise all his Houses Lands Tenements real and personal Estate whatsoever unto his Wife Margaret for and During the Term of her natural Life and from and immediately after her Death did give and devise his said real and personal Estate and the Reversion and Remainder thereof unto and among his seven Children (that is to say) one full and equal undivided seventh part thereof unto his said Son James De Peyster his Heirs, Executors, Administrators and Assigns forever, one other full and equal undivided seventh Part thereof unto his Son Frederick De Peyster his Heirs Executors, Administrators

and Assigns forever one other full and equal undivided seventh Part thereof to his Daughter Catharine the Wife of John Livingston her Heirs, Executors, Administrators and Assigns forever one other full and equal undivided seventh part thereof unto his Daughter Margaret the Wife of William Axtell her Heirs, Executors, Administrators and Assigns forever one other full and equal undivided seventh part thereof unto his Daughter Eve her Heirs, Executors, Administrators and Assigns forever, one other full and equal undivided seventh part thereof unto his Daughter Mary the Wife of John Charlton, her Heirs, Executors, Administrators and Assigns forever, And the remaining full and equal undivided seventh part thereof unto his Daughter Elizabeth the Wife of Mathew Clarkson her Heirs, Executors, Administrators and Assigns, forever, and in case any one or more of his above named Child or Children having a Child or Children should happen to die during his Life Time or after his Death during the Life Time of his said Wife then he devised the Share and Shares of such of his Children so dying respectively unto his her and their respective Child and Children their Heirs, Executors, Administrators and Assigns forever, equally to be divided among such respective Children of the respective Parent so dying share and share alike and constituted his said Wife Margaret, and his said Sons James De Peyster and Frederick De Peyster and his Sons in Law William Axtell, John Livingston, John Charlton and Matthew Clarkson Executors of that his said Will and by a Codicil annexed to his said Will dated the tenth day of September in the said Year of our Lord one thousand seven hundred and sixty seven the said Abraham De Peyster did declare it to be his Will and Intention that the sums of Money in which all or any of his said Executors were indebted to him should after his decease be considered as Assets in their Hands for which they should be respectively accountable and in case his Estate should be thereafter charged with the Payment of any Money for which he had become Security for any of his said Executors that such of them respectively for whom any Monies should be paid should be answerable for the same: And the said Abraham De Peyster on the seventeenth Day of September in the Year of our Lord one thousand seven hundred and Sixty seven died AND WHEREAS the said Abraham De Peyster at the time of his Death was seized and possessed of a very considerable real and personal Estate, and the Debts secured by the above mentioned



Bonds or Obligations to the said Roger Morris, Charles Ward Apthorpe, Mary Ver Planck and Lewis Pintard or the greatest part thereof with an Arrear of Interest still remains due and unpaid. And the same James De Peyster being Insolvent the Estate of the said Abraham De Peyster is become liable for all the Monies remaining due on the above mentioned Obligations. And the Devisees of the said Abraham De Peyster in Order to secure the payment of the Debts above mentioned have made some Conveyances of part of the Estate, whereof the said Abraham De Peyster died seized AND WHEREAS the said Abraham De Peyster at the Time of his Death was chargeable with very large sums of Money as Treasurer of this Colony which still remain due and unpaid and there is great reason to apprehend that all the real and personal Estate whereof the said Abraham De Peyster died seized and possessed will be insufficient to pay the Monies with which he was so Chargeable at the Time of his Death. AND WHEREAS Margaret De Peyster of the City of New York Widow of the said Abraham De Peyster, the said James De Peyster, Frederick De Peyster, John Livingston and Catharine his wife, William Axtell and Margaret his Wife Matthew Clarkson and Elizabeth his Wife, John Charlton and Mary his Wife and Eve De Peyster have presented their Petition to the General Assembly of this Colony, setting forth that the said Margaret De Peyster, James De Peyster, Frederick De Peyster, Catharine Livingston, Margaret Axtell, Elizabeth Clarkson, Mary Charlton and Eve De Peyster by Virtue of the last Will and Testament of the said Abraham De Peyster are vested with a very great real and personal Estate whereof he died seized and possessed and that some of the Petitioners are appointed Executors of his said Will that the Petitioners have discovered that there were large sums due and owing from their Testator at his Death as Treasurer of this Colony and that he also stood indebted to the said John Livingston in the principal Sum of two thousand pounds and to the said William Axtell in the Sum of one thousand six hundred and fifty Four pounds nineteen Shillings principal Money in the manner above mentioned. That the Petitioners in order to give the public all the satisfaction in their power are willing that their Testators Accounts with the Colony should be fairly adjusted by such persons as the General Assembly shall be pleased to appoint and for the greater Security of the Colony in the payment of the Ballance which may appear

to be justly due are contented that the to them by the Will of their Testator shall to be for that purpose passed in such General Assembly shall approve with Power and apply the Money arising Therefrom thereof: a due preference being only real Bond Debts of the said John Livingston, provision being therein made as well to any should be to the Petitioners as to Petitioners as are Executors of the Will Suits which may be brought against the their Testator. The Petitioners therefore that full Justice may be done to the others who may have Demands against prayed that a Law may be passed for it that such other Measures may be pursued Assembly shall appear reasonable and effecting the Premises. AND WHEREAS able that the real and personal Estate of De Peyster died seized and possessed shall the Discharge of the Debts of the said Abraham the said Margaret De Peyster, James De Peyster, John Livingston, and Catharine Axtell and Margaret his Wife, John Cha Matthew Clarkson and Elizabeth his Wife in Order thereto have since the present due form of Law by Indentures of Lease Date the twenty seventh and twenty eighth in the Year of our Lord one thousand eight granted and conveyed to John Cruger Leonard Lispenard, Henry Holland and said City Esquires and to their Heirs and Estate whereof the said Abraham De Peyster possessed (except the Right of Dower of Peyster and that part of the real Estate Tail upon the Trust therein specified of and concerning the same. AND the John Cruger, Philip Livingston, Leonard land and William Bayard to execute them

Be It ENACTED by his Excellency the and the General Assembly, and it is

Authority of the same, That all and singular the Messuages, Lands, Tenements, Rents, Rights, Titles, Entries, Covenants, Conditions, Reversions, Remainders and other Hereditaments of what Natures Names or Qualities soever they be and wheresoever they be or lie within this Colony of New York whereof the aforesaid Abraham De Peyster was seized or which he was intituled to at the Time of his Death in Fee or of any other Estate of Inheritance, with their and every of their Appurtenances, except such part which he held in Tail, and all and singular the Goods, Chatties, Debts, Monies, Plate, Furniture, Arrearages of Rent and Farms and all other personal Estate whatsoever whereof or whereunto the said Abraham De Peyster at the Time of his Death was possessed intituled or had any Right or Claim by any ways or means howsoever shall be and are hereby settled upon and vested in the said John Cruger, Philip Livingston, Leonard Lispenard, Henry Holland, and William Bayard and their Heirs upon Trust that they the said John Cruger Philip Livingston, Leonard Lispenard, Henry Holland, and William Bayard and the Survivors and Survivor of them and the Heirs of such Survivor shall and do with all convenient speed sell and dispose of all and singular the said real and personal Estate so settled upon and vested in them as aforesaid with the Appurtenances at public Vendue or otherwise in such parts and parcels as they shall find necessary for the most Money and best price and prices that can be reasonably Got for the same, and sue for recover and receive all the Debts Rents and Monies and other Effects which were due owing or belonging To the said Abraham De Peyster at the Time of his Death and shall and do dispose of and apply the Monies to arise by such Sales and the mean Profits by them to be received until such Sale or Sales made and the Monies by them to be recovered and received as aforesaid in manner following. (That is to say) first for paying and reimbursing themselves for their Trouble and all such Charges and Expences as they shall any ways sustain or be put to by Reason of the Trust so reposed in them, and in the next place for paying and discharging the said Sum of Five thousand pounds due upon the Recognizance aforesaid, which said Sum of five thousand pounds shall be paid to the Treasurer of this Colony for the Time being and shall be applied towards sinking the Bills of Credit of this Colony AND in the next place for the paying and discharging the said Debt Due to the said Roger Morris And for indemnifying

the said John Livingston who is Security for the same. AND the next place for paying and discharging the said Debt due to the said Charles Ward Apthorpe. AND in the next place paying and discharging the said Debts due to the said Mary Planck. AND in the next place for paying and discharging much of the said Debt due to the said Lewis Pintard as Securities received by him of the said James De Peyster and fall short of paying the same and for Indemnifying the said William Axtell who is Security to the said Lewis Pintard for said Debt. AND in the next place for paying and discharging such other Private Debts as were justly due from the said Abraham De Peyster at his Death. AND in the next place for, towards paying and satisfying the Monies wherewith the said Abraham De Peyster was chargeable as Treasurer of this Colony at the Time of his Death after deducting the said Sum of 1 thousand pounds to be paid as aforesaid in discharge of the Recognizance; all which Monies so to be paid for and towards satisfying and discharging the said Sums wherewith the said Abraham De Peyster was chargeable as Treasurer as aforesaid shall be paid to the Treasurer of this Colony for the Time being and shall be applied towards sinking the Bills of Credit of this Colony, and the residue (if there be any) of the Monies so raised and received in Virtue of this Act shall be paid by the said Trustees or the Survivors or Survivor of them or the Heirs of Such Survivor to the said Executors of the said last Will and Testament of the said Abraham De Peyster or to the Survivors or Survivor of them to be applied and disposed of according to Law

AND BE IT FURTHER ENACTED by the Authority aforesaid that from and after the payment of the said Sum of 1 thousand pounds to the Treasurer of this Colony as aforesaid in Discharge of the Recognizance aforesaid as well the Heirs, Executors, Administrators and Assigns of the said Abraham De Peyster as the said Isaac De Peyster and Cornelius De Peyster the Sureties of the said Abraham De Peyster in the Recognizance aforesaid and their and each and every of their Heirs, Executors, Administrators and Assigns, and all the Lands, Tenements and Hereditaments of which the said Abraham De Peyster, Isaac De Peyster and Cornelius De Peyster or either of them were seized on the said twenty second Day of July in the said Year of our Lord one thousand seven hundred and twenty one or at any Time

since shall be and is and are by Virtue of this Act acquitted, released and forever discharged of and from the Recognizance aforesaid

AND BE IT FURTHER ENACTED by the Authority aforesaid that all Sales, Grants and Conveyances of the real and personal Estate whereof the said Abraham De Peyster died Seized or possessed as aforesaid or of any part thereof made by the Heirs, Devisees or Executors of the said Abraham De Peyster or by any or either of them except only the Conveyance to the said Trustees before mentioned shall be and hereby are declared null and Void to all Intents and Purposes whatsoever

AND BE IT FURTHER ENACTED by the Authority aforesaid that the said Trustees, shall by Virtue and Authority of this Act be deemed and adjudged in the real and actual possession of all and singular the premises so vested in them as aforesaid, And that all and every Sale, Grant, Conveyance and Assurance to be made in Virtue of the said Conveyance to the said Trustees and of this Act by them the said Trustees or the Survivors or Survivor of them or the Heirs of such Survivor of all and every or any part of the Premises so vested in them shall be good and effectual to all and every purchaser and purchasers his and their Heirs and Assigns according to the purport and Effect thereof and the said Purchasers their Heirs and Assigns shall and may by Virtue thereof and of this Act have hold and enjoy the same Premises against the said James De Peyster and his Heirs and against all and every other the Heirs, Devisees, Legatees, Executors and Administrators of the said Abraham De Peyster and their and every of their Heirs, Executors, Administrators and Assigns and against all and every other Person and Persons and his and their Heirs claiming or to claim by from or under him, them or any or either of them or by, from or under the said Abraham De Peyster saying to his Majesty his Heirs and Successors all such Estate, Right Title and Interest as his said Majesty his Heirs or Successors may have of in to or out of any of the Messuages lands Tenements and Hereditaments so to be sold AND saying to all other Persons Bodies Politic and Corporate their Heirs Successors Executors and Assigns and the Heirs and Successors, Executors and Assigns of every of them (other than the said James De Peyster and his Heirs and all and every other the Heirs, Devisees, Legatees, Executors and Administrators of the



said Abraham De Peyster and their and every of their Heirs Executors Administrators and Assigns and all and every one Person and Persons and his and their Heirs claiming or to claim by from or under them or any or either of them or by from under the said Abraham De Peyster) all such Right, Title, Estate Interest, Claim and Demand as they or any or either of them or should or ought to have of, in, to or out of any of the Messuages Lands, Tenements and Hereditaments so to be sold as aforesaid if this Act had never been made and saving to the said Margaret De Peyster, Widow of the said Abraham De Peyster all such Right and Title of Dower as she might have Claimed or may Claim if this Act had never been made AND the better enable the said Trustees to perform the Trust so reposed in the

BE IT FURTHER ENACTED by the Authority aforesaid That it shall and may be lawfull to and for them and the Survivors and Survivor of them and they and the Survivors or Survivor of them are hereby authorized to purchase all such Estate Right and Interest as any Person or Persons may have Claim of, in or to any of the Messuages, Lands, Tenements or Hereditaments so to be sold as aforesaid or to compound or agree for the same in such manner as they may think best when purchase Money or Sum to be paid as a Composition for such Estate, Right or Interest and all Costs and Charges attending the same shall be paid and deducted out of the Monies to arise from the Sale of the said Messuages, Lands, Tenements or Hereditaments in which such Estate, Right, or Interest shall be claimed and only the residue thereof be applied towards the payment of the Debts above mentioned in the Manner herein before directed: Any Thing herein contained to the contrary thereof in anywise Notwithstanding

AND BE IT FURTHER ENACTED by the Authority aforesaid, That the said Trustees and the Survivors and Survivor of them and the Heirs of such Survivor shall be and hereby are enabled, directed and required as soon as conveniently may be to enter into and Take possession of and in their own Names and as in their own Right or in the Name and Right of the Survivor or Survivor of them or the Heirs of such Survivor to sue to recover and receive all the real and personal Estate so vested and settled upon them and to sell, dispose and apply the same according to the Directions of this Act, And that in all such Actions to be brought for the recovery of any Debts or Sums of

Money which was due and owing to the said Abraham De Peyster at the Time of his Death, no Essoin, Protection, Wager of Law, Privilege or more than one Imparlanee shall be allowed. AND that it shall be sufficient for the Plaintiffs or Plaintiff in such Suits or Actions to alledge that the Defendant or Defendants are Indebted or if the suit or Action be against Heirs, Executors or Administrators then to alledge that the Ancestor, Testator or Intestate was Indebted to the Plaintiffs or Plaintiff in the particular Sum so due and owing whereby the plaintiff's Action accrued to them or him according to the Form of this Act without setting forth the special Matter and shall and may give this Act and the special Matter in Evidence. AND if any sum shall be found due and owing as aforesaid, the Plaintiffs or Plaintiff shall have judgment for such sum with Costs of Suit. PROVIDED ALWAYS, That no Heir, Executor or Administrator or other Person shall be by Virtue of this Act any further chargeable than they now are by Law but shall and may plead any such Matters as they might have done if the Suit was taken against them or any of them by the Executors of the said Abraham De Peyster.

AND BE IT FURTHER ENACTED by the Authority aforesaid that it shall and may be lawfull to and for the said Trustees and the Survivors of them to liquidate, settle adjust or compound by Arbitration or otherwise all Debts or Demands which may be claimed to have been due from the said Abraham De Peyster at the Time of his Death, but nevertheless that any Person or Persons having such Claim or Demand shall be at liberty to prosecute any suit or Action at Law or Equity for the recovery thereof, against the said Trustees or the Survivors or Survivor of them or the Heirs of such Survivor who may plead any Matter or Thing in their or his defence which the Executors of the Will of the said Abraham De Peyster might have done had this Act not been made and the Suit or Action been taken against the said Executors. PROVIDED such Suit or Action so to be brought be commenced within one Year and prosecuted to Effect within three Years after the passing this Act. PROVIDED ALSO AND BE IT FURTHER ENACTED by the Authority aforesaid, That it shall and may be lawfull to and for Pierre Guillaume De Peyster his Executors or Administrators, and he or they is and are hereby enabled within the Time limited as aforesaid to commence and prosecute any Suit or Action against the said

Trustees or the Survivors or Survivor of them or the Heir of such Survivor for the Recovery of any Damages he may be sustained by the Breach of any such of the Covenants or Agreements contained in certain Articles of Agreement made or entered into by or between the said Abraham De Peyster, Piere Guillaume De Peyster and others bearing date the Ninth Day December in the Year of our Lord one thousand seven hundred and twenty eight as the said Abraham De Peyster was bound to perform in his own Right in such manner as the said Piere Guillaume De Peyster might have done against the Executors of the said Abraham De Peyster if this Act had not been made but for the Recovery of the Penalty expressed in the said Articles nor for the recovery of any Penalty or Damages which the said Abraham De Peyster might have been by Virtue of the said Articles liable to Answer as Heir of his Sisters, Elizabeth Hagton or Mary De Peyster or either of them in which Suit or Act all such Matters may be pleaded as if the same Suit or Act had been brought against the Executors of the said Abraham De Peyster, and the Sum which may be recovered by the said Piere Guillaume De Peyster or paid as a Composition for Breach of the said Abraham De Peyster's Covenants as aforesaid shall be esteemed a Private Debt due from the said Abraham De Peyster at the Time of his Death and be paid in the Manner above directed

AND BE IT FURTHER ENACTED by the Authority aforesaid, That all and every Person and Persons whomsoever whose Hands, Possession or Power any of the Goods, Chatties, Monies or Effects which were of the said Abraham De Peyster at the Time of his Death now are or hereafter may happen to be shall upon Demand deliver the same to the said Trustees or or one of them, and all Person and Persons who are or shall be possessed of any Deeds Charters Grants, Vouchers, Secured Books of Account and Evidences relating to the Premises shall upon Demand deliver the same to the said Trustees or or one of them, and that it shall and may be lawfull to and for the said Trustees or any three or more of them by Notice or Summons in Writing to cause to come before them or any three or more of them all such Persons as they shall think Meet and examine them severally upon their Corporal oaths (which the said Trustees or any Three or more of them shall and

by Warrant or Warrants under their Hands and Seals to commit such person or Persons so refusing or neglecting unto any of his Majesty's Prisons there to remain under safe Custody without Bail or mainprize until he she or they shall yield Obedience to that which shall be so required of them.

AND BE IT FURTHER ENACTED by the Authority aforesaid that all Costs and Expences which the said Trustees and Commissioners the Survivors or Survivor of them and the Heirs of such Survivor shall be put to in and about prosecuting or defending any Suit which may be brought By Virtue of this Act shall be deemed Expences attending the Execution of the Trust hereby reposed in them and shall together with all other incidental Charges and a reasonable Commission for their Trouble upon all the Monies they may from Time to Time receive in Virtue of this Act, be deducted before payment of any of the Debts above mentioned

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Executors of the said Abraham De Peyster when they shall have delivered all the Estate of the said Abraham De Peyster and all Deeds Charters, Grants, Vouchers Securities Books of Account, and Evidences relating to the same which have or may come to their or any or either of their Hands and fully accounted for the same, they being allowed for the funeral Charges of the said Abraham De Peyster shall and may plead fully administered to all and every Action or Suit brought or to be brought against them or any or either of them as Executors of the last Will and Testament of the said Abraham De Peyster and give this Act and the special Matter in Evidence, which shall be a sufficient Barr until the said Executors or some of them shall receive the residue (if there shall be any) of the Monies to arise by Virtue of this Act after payment of the several Debts hereby directed to be paid and that then and from thence forth it shall and may be lawful for all the other Creditors of the said Abraham De Peyster if any such there be who shall not then have been paid to commence and prosecute such Actions and Suits for the recovery of their Debts as if this Act had never been made

AND BE IT FURTHER ENACTED by the Authority aforesaid that the receipt or receipts of the said Trustees and Commissioners or to the Survivors or Survivor of them and the Heirs of such Survivor under their his or her Hands or Hand respectively shall be a sufficient Discharge to the Purchaser or Pur-

Office of Treasurer of this Colony, during his continuance in the same and the said Commissioners or any three or more of them are hereby authorized and required to call before them from Time to Time, the Executors of the said Abraham De Peyster and such other persons as the said Commissioners or any three of them shall think proper and to make or cause to be made and stated an Account of all the Monies which have been received by the said Abraham De Peyster during his continuance in the Office of Treasurer of this Colony or which he is charged with by any Act or Acts of the Legislature of this Colony and of the Monies by him paid and applied by Virtue of such Acts and to examine, audit and state how much he was in arrear upon the said Accounts at the Time of his Death and how much will remain due after deducting the Monies and the amount of the Securities and outstanding Debts which the Executors of the said Abraham De Peyster shall deliver or render to the present Treasurer of this Colony or the Treasurer thereof for the Time being in pursuance of the said Act passed in this present Session for that purpose and the Ballance of the said Account after making the Deductions of the Securities and Outstanding Debts as aforesaid and after deducting the Sum of five thousand pounds hereby directed to be paid in Discharge of the Recognizance aforesaid shall be esteemed and taken as the Sum to be paid to the Treasurer of this Colony for the Time being in the Manner above mentioned and that the said Accounts may be justly and truly examined audited adjusted and Settled the said Commissioners or any three of them are hereby authorized and required to inspect and examine all such former Accounts as they shall find necessary and to send for and cause to appear before them or any three of them all or any of the Executors of the said Abraham De Peyster and all such other Persons as they shall think proper and to examine them severally upon their Corporal Oaths (which the said Commissioners or any three or more of them shall and may administer by Virtue of this Act) and to send for and peruse all such Records, Books, Vouchers, Acquittances and other Writings as they shall think necessary and in case any Person or Persons summoned to appear before the said Commissioners or any three or more of them shall refuse or neglect to appear or to produce any of their Books, Vouchers, Acquittances or other Writings or to be examined upon his her or their corporal Oaths touching the Premises. That then the said Commissioners or any three or more of them are hereby authorized



by Warrant or Warrants under their Hands and Seals to commit such person or Persons so refusing or neglecting unto any of his Majesty's Prisons there to remain under safe Custody without Bail or mainprize until he she or they shall yield Obedience to that which shall be so required of them.

AND BE IT FURTHER ENACTED by the Authority aforesaid that all Costs and Expences which the said Trustees and Commissioners the Survivors or Survivor of them and the Heirs of such Survivor shall be put to in and about prosecuting or defending any Suit which may be brought By Virtue of this Act shall be deemed Expences attending the Execution of the Trust hereby reposed in them and shall together with all other incidental Charges and a reasonable Commission for their Trouble upon all the Monies they may from Time to Time receive in Virtue of this Act, be deducted before payment of any of the Debts above mentioned

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Executors of the said Abraham De Peyster when they shall have delivered all the Estate of the said Abraham De Peyster and all Deeds Charters, Grants, Vouchers Securities Books of Account, and Evidences relating to the same which have or may come to their or any or either of their Hands and fully accounted for the same, they being allowed for the funeral Charges of the said Abraham De Peyster shall and may plead fully administered to all and every Action or Suit brought or to be brought against them or any or either of them as Executors of the last Will and Testament of the said Abraham De Peyster and give this Act and the special Matter in Evidence, which shall be a sufficient Barr until the said Executors or some of them shall receive the residue (if there shall be any) of the Monies to arise by Virtue of this Act after payment of the several Debts hereby directed to be paid and that then and from thence forth it shall and may be lawful for all the other Creditors of the said Abraham De Peyster if any such there be who shall not then have been paid to commence and prosecute such Actions and Suits for the recovery of their Debts as if this Act had never been made

AND BE IT FURTHER ENACTED by the Authority aforesaid that the receipt or receipts of the said Trustees and Commissioners or to the Survivors or Survivor of them and the Heirs of such Survivor under their his or her Hands or Hand respectively shall be a sufficient Discharge to the Purchaser or Pur-

chasers of the Premises so to be sold or any Part thereof and their respective Heirs Executors Administrators and Assigns so much of the Purchase Money for which such receipt Receipts shall be given and after such Receipt or Receipts said Purchaser or Purchasers his her and their Heirs Executors Administrators and Assigns shall be and is and are hereby absolutely acquitted and discharged of and from the same and they or any of them after such Receipt or Receipts shall not answerable for any loss, Misapplication or Nonapplication of said purchase Money or any part thereof

AND BE IT FURTHER ENACTED by the Authority aforesaid That the said Trustees or Commissioners shall not, nor shall either of them or the Heirs Executors or Administrators either of them be answerable or accountable for any Money be received by Virtue of or under the Trust hereby in this reposed any otherwise than each Person for such Sum and Sum of Money as he or they shall respectively actually receive and that no one of them shall be answerable or Accountable for the Acts Receipts Neglects or Defaults of the other of them.

AND BE IT FURTHER ENACTED by the authority aforesaid, That the said Trustees and Commissioners and the Survivors and Survivor of them, and the Heirs of such Survivors shall and hereby are required to keep a Book of Accounts relative to the Execution of the Trust hereby reposed in them and shall from Time to Time render just and true Accounts on Oath to his Excellency the Governor or Commander in chief of this Colony for the Time being. The Council, and the General Assembly respectively of all the Monies that shall be received and paid in Virtue of this Act when thereunto required by them or either of them

AND BE IT FURTHER ENACTED by the Authority aforesaid, That every of the said Trustees and Commissioners before he enters upon the Execution of this Act shall take an Oath before one of the Justices of the Supreme Court of this Colony well and faithfully to execute and perform the Trust reposed in him by Virtue of this Act, but no sale under this Act shall be defeated or made Void by reason of the not taking such Oath

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any Person or Persons who by the Authority of this Act shall be examined upon Oath before the said Trustees and Commissioners or any three or more of them shall wilfully and falsely forswear himself or herself such Wilful and false swearing

ing shall be taken and adjudged to be wilful and corrupt Perjury and such person or Persons shall and may be proceeded against in such manner to all Intents and Purposes as by Law in Cases of Wilful and corrupt Perjury is provided and appointed and shall suffer and incur upon Conviction such Pains and Penalties as by Law are appointed to be inflicted and imposed.

AND BE IT FURTHER ENACTED by the Authority aforesaid That all and every of the Executors of the last Will and Testament of the said Abraham De Peyster shall be and hereby are made Answerable to the said Trustees or the Survivors or Survivor of them for such Part of the Personal Estate of the said Abraham De Peyster as the said Executors respectively shall or may have disposed of wasted or misapplied since the Death of the said Abraham De Peyster.

#### [CHAPTER 1355.]

[Chapter 1355 of Van Schoonck, where the act is printed in full. Expired January 1, 1770. Revived by chapter 1414. Amended by chapter 1617.]

An Act to ascertain the Size of Casks in which white Bread shall be packed within the City of New York and to regulate the Manner in which the same shall be sold.

[Passed, February 6, 1768.]

WHEREAS the selling white Bread, commonly called water Bread, Milk Bread and Butter Bread, by the Keg, and not by weight, within the City of New York, hath been productive of many undue Practices; and in Consequence thereof the Trade to the West Indies, in that Article, hath been greatly reduced, and will probably, if not speedily prevented, be entirely lost; for Remedy whereof

BE IT ENACTED by his Excellency the Governor, the Council, and the General Assembly, and it is hereby enacted by the Authority of the same, That from and after the first Day of May next all white Bread, packed in Casks or Kegs commonly called Water Bread, Milk Bread or Butter Bread, shall be sold by weight only, upon Penalty of Ten Shillings to be paid for every Cask or Keg to be recovered before any one of his Majesty's Justices of the Peace for the City and County of New York, The one half of which Forfeiture shall be paid to the Church Wardens of the said City of New York for the Use of the Poor of the said City, and the other half to the Person that shall prosecute for the same

AND BE IT FURTHER ENACTED by the same Author that no such Bread as aforesaid shall be packed in Casks than eighteen and an Half Inches long and eleven Inches in the Head nor shall contain less than twenty pounds weight Bread; and that every Cask or Keg in which such Bread aforesaid shall be packed shall first be truly weighed and just weight and Tare thereof be set with a Marking Iron in the Head of each Cask or Keg so employed as aforesaid; every such Cask or Keg shall also be branded by the Baker the Bread with the Initial Letters of his Name on the Head of the said Casks; and if any Baker shall presume to sell or take off any Bread in Casks of a less Size, or containing a less quantity of Bread than is herein before mentioned or in Casks or Kegs on which the Tare is not marked as aforesaid or on which the initial Letters of his Name is not branded as aforesaid shall forfeit for every such Cask or Keg the Sum of ten Shillings to be recovered as aforesaid, and for the Use aforesaid by the Person that shall sue for the same and every Person or Persons that shall presume to ship any such Bread that shall be packed in less Casks or Kegs or containing a less Quantity of Bread that shall not be tared and Branded as aforesaid shall be liable to the like Penalty of ten Shillings for every such Cask or Keg to be recovered as aforesaid and for the Use aforesaid.

AND BE IT FURTHER ENACTED by the Authority aforesaid That this Act shall be and remain in Force until the first Day of January, which will be in the Year of our Lord, one thousand seven hundred and Seventy, and no longer.

### THIRTIETH ASSEMBLY.

#### *First Session.*

(Begun Oct. 7, 1768, 9 George III, Sir Henry Moore, Governor.)

#### [CHAPTER 1356.]

[Chapter 1356 of Van Schaeck, where the title only is printed.]

An Act for making a further provision of Eighteen hundred pounds, for furnishing his Majesty's Troops quartered in this Colony with Necessaries.

(Passed, December 31, 1768.)

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby enacted by

Authority of the same, That the Treasurer of this Colony shall pay and he is hereby directed and required, out of the Money arising from the Duty laid on Strong Liquors retailed in this Colony, to pay such Sum or Sums of Money, as shall from Time to Time be necessary for quartering his Majesty's Troops in this Colony on Warrant or Warrants to be drawn for that purpose by his Excellency the Governor or Commander in chief for the Time being, by and with the Advice and Consent of his Majesty's Council, provided the whole Sum so to be drawn for does not exceed the Sum of Eighteen hundred pounds

AND BE IT ENACTED by the Authority aforesaid that the Treasurer shall keep exact Books of his payments by Virtue of this Act, and a true and just Account thereof shall render on oath to the Governor or Commander in Chief for the Time being, the Council or the General Assembly, when by them or any of them thereunto required.

[CHAPTER 1357.]

[Chapter 1357 of Van Schaack where the title only is printed. See chapter 1324. Continued by chapter 1407.]

An Act further to continue an Act intituled, An Act for granting to his Majesty the several Duties and Impositions on Goods Wares and Merchandizes imported into this Colony therein mentioned.

[Passed, December 31, 1768.]

WHEREAS the several Duties and Impositions on Goods Wares and Merchandizes imported into this Colony and Granted for the support of the Government of his late Majesty King George the Second by the above mentioned Act, have by several subsequent Acts, been continued to the first Day of January next ensuing, and the General Assembly being willing to make Provision for the further support of his Majesty's Government of this Colony.

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly, and it is hereby enacted by the authority of the same, that the above mentioned Act intituled, an Act for granting to his Majesty the several Duties and Impositions on Goods Wares and Merchandizes imported into this Colony therein mentioned passed in the twenty seventh Year of his late Majesty's Reign shall be and



hereby is continued, and every Clause matter and thing therein contained, enacted to be and remain in full force to all intents, constructions and purposes whatsoever until the first Day of January which will be in the Year of our Lord, one thousand seven hundred and seventy inclusive. PROVIDED ALWAYS that so much of the first Clause or Section of said Act as relate to European or East India Goods imported from the British Islands into this Colony shall be construed taken and deemed to be from the British Islands in America only, any thing in said Act to the contrary thereof notwithstanding.

[CHAPTER 1358.]

[Chapter 1358 of Van Schanck, where the title only is printed.]

An Act for paying the Salaries and Wages of the several Officers of the Government, from the first Day of September one thousand seven hundred and sixty eight to the first Day of September one thousand seven hundred and sixty nine, and other things therein mentioned.

[Passed, December 31, 1768.]

BE IT ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby Enacted by the Authority of the same. That the Treasurer of this Colony do and hereby is directed and required out of the Monies and Revenues which may arise by Virtue of the following Act, vizt An Act for granting unto his Majesty the several Duties and Impositions on Goods, Wares and Merchandizes, imported into this Colony therein mentioned to pay the several Sums following.

UNTO his Excellency the Governor for Administering the Government of this Colony from the first Day of September one thousand seven hundred and sixty eight to the first Day of September one thousand seven hundred and sixty nine after the Rate of two thousand Pounds per Annum.

UNTO his said Excellency for providing Fire Wood and Candles for his Majesty's Garrison in Fort George in the City of New York from the first Day of September one thousand seven hundred and sixty eight, to the first Day of September one thousand seven hundred and sixty nine the Sum of four hundred Pounds.

bly for his Services in that Station from the first Day of September one thousand seven hundred and sixty eight to the first Day of September one thousand seven hundred and sixty nine twenty Shillings per diem, payable upon a Certificate from the General Assembly, signed by the Speaker for the Number of Days he has served or may serve the General Assembly.

UNTO the said Edmond Seaman for sundry Disbursements for the use of the General Assembly as per his Account the Sum of Seventy Seven Pounds seven Shillings and six pence.

UNTO Alexander Lamb Doorkeeper of the General Assembly for his Services in that Station from the first Day of September one thousand seven hundred and sixty eight, to the first Day of September one thousand seven hundred and sixty nine, six Shillings per Diem, payable upon a Certificate from the General Assembly signed by the Speaker for the Number of Days he has served or may serve the General Assembly

UNTO the said Alexander Lamb for sundry Disbursements and extraordinary Services made and performed by him for the use of the General Assembly the Sum of forty five Pounds ten Shillings.

UNTO James Wilmot for attending the Library by order of the General Assembly the Sum of four Pounds.

UNTO Alexander Miller for attending the Library the last Session of the General Assembly by their order the Sum of Six Pounds.

UNTO John Martin for his service as Gunner and Storekeeper of the Colony Stores from the twenty eighth Day of July one thousand seven hundred and sixty eight to the twenty eighth Day of July, one thousand seven hundred and sixty Nine the Sum of twenty Pounds.

UNTO Elizabeth Vaughton for a Flagg for Fort George the Sum of twenty eight Pounds sixteen Shillings and six Pence.

UNTO Joseph Powell for making two Book Cases and a large Table for the use of the General Assembly the Sum of eleven Pounds four Shillings and three Pence.

UNTO his Honour the Lieutenant Governor for Administring the Government from the first Day of September one thousand seven hundred and sixty five to the thirteenth Day of November following at the Rate of two thousand Pounds per Annum, the Sum of four hundred and five Pounds nine Shillings.

UNTO Jonothan Booth and Silas Camp for their Activity in discovering and bringing to punishment several Persons that

Services in that Station from and to the time aforesaid after the Rate of thirty Pounds per Annum.

UNTO Thomas Hill and Josiah Smith Land and Tide-Waiters, or to the Land and Tide Waiters for the Time being for their Services in that Station from and to the Time aforesaid after the Rate of fifty Pounds per Annum for each of them.

ALL which aforesaid several Sums of Money shall be paid by the Treasurer on Warrants issued by his Excellency the Governor or the Commander in Chief for the Time being by and with the advice and consent of his Majesty's Council of this Colony; and the Receipts of the several persons endorsed on the said Warrants shall be to the Treasurer good Vouchers and Discharges for so much as shall be thereby acknowledged to be received.

AND BE IT ENACTED by the Authority aforesaid. That the Treasurer shall and hereby is directed and required out of the Fund aforesaid to pay the several allowances following Vixt:

UNTO Abraham Lott Esquire Treasurer of this Colony for his Services in that Station from the first Day of September one thousand seven hundred and sixty eight to the first Day of September one thousand seven hundred and sixty nine after the Rate of two hundred Pounds per Annum.

UNTO the said Treasurer for the extraordinary Services which he is now obliged to perform beyond the usual Duty of his Office after the Rate of the further Sum of one hundred Pounds per annum.

UNTO Robert Charles Esquire Agent of this Colony in Great Britain as a Reward for his Care Trouble and Diligence in attending upon his Majesty and his Ministers of State in that Station from the first Day of September one thousand seven hundred and sixty eight to the first Day of September one thousand seven hundred and sixty nine, after the Rate of five hundred Pounds per Annum; which said Sum or so much thereof as shall be really and truly due, shall be paid unto the said Robert Charles or to his Executors Administrators or Assigns by an Order of the General Assembly of this Colony signed by their Speaker for the Time being, and not otherwise.

UNTO John Tabor Kemp Esquire his Majesty's Attorney General of this Colony for several extraordinary Services performed by him in that Station the Sum of one hundred and fifty Pounds.

UNTO Edmond Seaman Esquire Clerk of the General Assem

Authority of the same That Cornelius Clopper shall be and hereby is appointed Commissioner for collecting the Duty of Excise of and from the several Retailers of strong Liquors within the City and County of New York from the first Day of January in the Year of our Lord one thousand seven hundred and sixty nine to the first Day of January which will be in the Year of our Lord one thousand seven hundred and seventy.

AND BE IT FURTHER ENACTED by the Authority aforesaid, That the said Commissioner shall as soon after the publication of this Act, as he shall judge convenient appoint the several Retailers within this said City and County, and direct, and ascertain what each Retailer shall pay for the said Duty from the first Day of January one thousand seven hundred and sixty nine, to the first Day of January one thousand seven hundred and seventy.

AND BE IT ENACTED by the Authority aforesaid that the several and respective persons herein after named shall be and hereby are appointed Commissioners for collecting the Duty of Excise of and from the several and respective Retailers of Strong Liquors within the several and respective Counties of this Colony herein after mentioned, and the Harbours, Bays, and Rivers respectively thereunto adjoining or belonging. Vizt:

For the City and County of Albany Peter Lansing and Guybert G. Merselis.

For the Borough of West Chester, the Mayor Recorder and Aldermen.

For the Manor of Philipsburgh and Yonkers in the County of West Chester William Davids and Isaac Deane Esquires.

For the Manor of Cortlandt in the County of West Chester Charles Moore and Hackeliah Brown Esquires and, For the remaining Part of West Chester County Edward Stephenson and John Thomas Junr Esquires.

For Kings County Theodorus Polhemus Esquire.

For Queens County Benjamin Townshend and Samuel Clowes Esquires.

For Dutchess County Cornelius Leister, Peter Harris and Benjamin Atkins.

For Ulster County Joseph Gascherie and James M Clagarie Esquires.

For Orange County, Jacob Conklin Esquire for Orange Town, Benjamin Tusten Esquire for Goshen precinct, Caleb Halsted for Haverstraw Precinct, and Daniel Coleman for Cornwall Precinct.

For Richmond County Hezekiah Wright, Joseph Rolph and Jacob Rezeau Esquires

And for Suffolk County Richard Floyd, Samuel Landon and Malby Gelston Esquires.

AND BE IT ENACTED by the Authority aforesaid, that the aforesaid several and respective Commissioners or the Major Part of them respectively shall as soon as they conveniently can after the Publication of this Act meet at the County Hall of the several and respective Counties or at such other Place or Places as they the said Commissioners shall respectively appoint for putting in Execution the Powers and Authorities given by this Act, at which time, or at such other Times as they shall judge necessary, the said Commissioners or the Major Part of them respectively shall for their own Counties and Districts, several and respectively fix the Number and appoint the several Retailers within their several and respective Counties and Districts and direct and ascertain what each Retailer shall pay for the said Duty of Excise from the first Day of January one thousand seven hundred and sixty nine to the first Day of January one thousand seven hundred and seventy.

PROVIDED ALWAYS, AND BE IT FURTHER ENACTED by the Authority aforesaid that no Retailer in any of the Cities or Counties of this Colony shall pay under the sum of twenty shillings for the said Duty of Excise, except those who shall Retail Strong Liquors not to be drank in their Houses who shall be rated at the discretion of the respective Commissioners, and that all those who have heretofore been Retailers of Strong Liquors in this Colony shall not pay less for the said Duty than they did in the Year of our Lord one thousand seven hundred and sixty eight, but as much more as the Commissioner or Commissioners for the City County or District where such Retailer may reside shall think reasonable.

AND BE IT FURTHER ENACTED by the Authority aforesaid That the said several Commissioners shall on or before the first Day of January in the Year of our Lord one thousand seven hundred and seventy render just true and particular Account on Oath to the Treasurer of this Colony of all the Sums of Money to be raised by virtue of this Act on the several Retailers within the Cities Counties and Districts for which they are respectively appointed Commissioners as aforesaid specifying the Names of every Retailer, and the Sums they have respectively been rated



at and pay the same to the said Treasurer of this Colony for the time being deducting therefrom only such Sum or Sums as is by this Act allowed such Commissioner or Commissioners for the management of the said Duty; and in order the better to secure the payment of the sums to be raised by virtue of this Act.

BE IT FURTHER ENACTED by the Authority aforesaid, That the said Commissioners before they take upon themselves the Execution of the Powers and Authorities given by this Act, shall respectively enter into Bonds to the Treasurer of this Colony for the time being in the Sums following That is to say.

The said Cornelius Clopper in the Penal Sum of one thousand six hundred Pounds.

The said Peter Lansing, and Guyabert G. Merselis in the Penal Sum of three hundred Pounds.

The said Mayor Recorder and Aldermen in the Penal Sum of twenty Pounds.

The said William Davids and Isaac Deane in the Penal Sum of forty Pounds.

The said Charles Moore and Hackelish Brown in the Penal Sum of forty Pounds.

The said Edward Stephenson and John Thomas Junior in the Penal Sum of one hundred Pounds.

The said Theodorus Polhemus in the Penal Sum of Sixty Pounds.

The said Benjamin Townshend and Samuel Clowes in the Penal Sum of one hundred and sixty Pounds.

The said Cornelius Leister Peter Harris and Benjamin Alina in the Penal Sum of two hundred Pounds.

The said Joseph Gasherte and James M Clagarie in the Penal Sum of one hundred Pounds.

The Said Benjamin Tusten Jacob Conklin Caleb Halsted and Daniel Coleman in the Penal Sum of Eighty Pounds.

The said Hezekiah Wright, Joseph Rolph, and Jacob Rezeau in the penal Sum of forty Pounds.

The said Richard Floyd, Samuel Landon and Malby Gelston in the penal Sum of one hundred Pounds.

Conditioned, That the said respective Commissioner or Commissioners his or their Executors or Administrators shall render a just and true Account upon Oath to the Treasurer of this Colony of all the Sums that may by him or them be raised in Virtue of this Act upon the several Retailers of Strong Liquors within the City County or District for which he or they are or is appointed a Commissioner or Commissioners and well and truly

pay the same except the Sum allowed him or them by this to the Treasurer of this Colony for the Time being on or before the first Day of January in the Year of our Lord one thousand seven hundred and seventy, which Bonds shall be delivered and remain with the Treasurer of this Colony for the Time being and upon performance of the Conditions of the same respectively shall be delivered up to be cancelled, But if default shall be made in the performance of the Condition of any or either of the Bonds, it shall and may be Lawful to and for the Treasurer of this Colony for the Time being and he is hereby directed to require after the expiration of three Calendar Months from said first Day of January in the Year of our Lord one thousand seven hundred and seventy to cause Suits to be brought in the Name of the Treasurer of the Colony of New York upon each and every of the said Bonds so forfeited and prosecute the same to Effect, and no Suit to be brought upon any or either of the same Bonds shall be abated or discontinued by the Death or Removal of the treasurer of this Colony but shall be continued and prosecuted to Effect by the new Treasurer in the Name of the Treasurer of the Colony of New York.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the said Commissioners shall be allowed and shall deduct out of the Sums to be by them respectively laid on several Retailers within the City County or District for which they are respectively appointed Commissioners the following Sums for their Trouble and Charges in the Execution of the Powers vested in them by this Act, That is to say,

The said Cornelius Clopper the Sum of fifty Pounds for incidental Charges, and his Commissions which last is to be at Rate of five per Cent.

The said Peter Lausing and Guysbert G. Mersells the sum of twenty eight Pounds.

The said William Davids and Isaac Deane the Sum of five Pounds ten shillings.

The said Charles Moore and Hackella Brown the sum of five Pounds ten shillings.

The said Edward Stephenson and John Thomas Junior the Sum of Ten Pounds.

The said Theodorus Polhemus the Sum of five Pounds.

The said Benjamin Townshend and Samuel Clower the Sum of ten Pounds.

The said Cornelius Leister, Peter Harris and Benjamin Akins the Sum of fifteen Pounds.

The said Joseph Casherie and James M Clagerle the Sum of eight Pounds.

The said Jacob Conklin, Benjamin Tustin Caleb Halsted and Daniel Coleman the sum of six Pounds

The said Hezekiah Wright Joseph Rolph and Jacob Rezeau the Sum of forty eight Shillings.

The said Richard Floyd Samuel Landon and Malby Gelston the Sum of nine Pounds and

The said Mayor Recorder and Aldermen of the Borough of West Chester the Sum of twenty four shillings.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the several and respective Retailers of Strong Liquors shall pay the several and respective Sums of Money to be laid on them by Virtue of this Act unto the aforesaid several and respective Commissioners on or before the first Day of December one thousand seven hundred and sixty nine, for securing which payment the said Commissioners shall respectively oblige the said several and respective Retailers to give such security as they the said Commissioners shall Judge necessary Provided that such retailer in the City of New York as shall be rated three Pounds and under and such in the several Counties as shall be rated at thirty Shillings and under shall not be permitted to retail unless they immediately pay the several and respective sums they shall be rated at to the aforesaid Commissioners, any thing herein before contained to the contrary notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that in Case any Person or Persons whomsoever other than such as the said Commissioners shall permit shall presume to sell any Strong Liquors by Retail directly or indirectly the Offender or Offenders shall for each such Offence forfeit the sum of six Pounds to be recovered by the said Commissioner or Commissioners respectively on the Oath of any one credible Witness in a summary Way in the Cities of New York and Albany and Borough of West Chester before the Mayor or Recorder and one or more Aldermen of the said Cities and Borough respectively and in the several Counties before any Justice of the Peace within the said several Counties respectively, and if upon Conviction the said Forfeitures be not Paid the same shall be Levied on the Goods and Chattels of the Offender or Offenders by War-

pay the same except the Sum allowed him or them by this Act to the Treasurer of this Colony for the Time being on or before the first Day of January in the Year of our Lord one thousand seven hundred and seventy, which Bonds shall be delivered and remain with the Treasurer of this Colony for the Time being and upon performance of the Conditions of the same respectively shall be delivered up to be cancelled, But if default shall be made in the performance of the Condition of any or either of the Bonds, it shall and may be Lawful to and for the Treasurer of this Colony for the Time being and he is hereby directed to require after the expiration of three Calendar Months from said first Day of January in the Year of our Lord one thousand seven hundred and seventy to cause Suits to be brought in the Name of the Treasurer of the Colony of New York upon and every of the said Bonds so forfeited and prosecute the same to Effect, and no Suit to be brought upon any or either of the same Bonds shall be abated or discontinued by the Death or Removal of the treasurer of this Colony but shall be continued and prosecuted to Effect by the new Treasurer in the Name of the Treasurer of the Colony of New York.

AND BE IT FURTHER ENACTED by the Authority of the said that the said Commissioners shall be allowed and deduct out of the Sums to be by them respectively laid on several Retailers within the City County or District for which they are respectively appointed Commissioners the following Sums for their Trouble and Charges in the Execution of the Powers vested in them by this Act, That is to say,

The said Cornelius Clopper the Sum of fifty Pounds for incidental Charges, and his Commissions which last is to be at the Rate of five per Cent.

The said Peter Lansing and Guysbert G. Mersells the sum of twenty eight Pounds.

The said William Davids and Isaac Deane the Sum of five Pounds ten shillings.

The said Charles Moore and Hackelia Brown the sum of five Pounds ten shillings.

The said Edward Stephenson and John Thomas Junior the Sum of Ten Pounds.

The said Theodorus Polhemus the Sum of five Pounds.

The said Benjamin Townshend and Samuel Clowes the sum of ten Pounds.

ively or the greater Number of them, and in the Counties for the Justices of the General and special sessions of the Peace to suppress the Licence or Licences of such Offender or Offenders.

AND BE IT ENACTED by the Authority aforesaid that in Case any of the Persons who shall be permitted to retail strong Liquors as aforesaid by the said Commissioner or Commissioners shall presume to retail before he she or they have obtained a Licence and entered into Recognizance to keep an Orderly House as aforesaid; he she or they so offending shall respectively forfeit the sum of Six Pounds for each Offence, to be recovered in a Summary Way in the manner before directed, one half thereof to the Informer, and the other half to the Poor of the Town Manor or Precinct where the Forfeiture shall arise, and that the Expence of being Qualified to retail may be within the Bounds of Moderation.

BE IT ENACTED by the Authority aforesaid that no more shall be taken for a Licence and Recognizance in the Cities of New York and Albany and Borough of West Chester than the usual and accustomed Fees; and in the respective Counties than the Sum of three Shillings.

AND BE IT ENACTED by the Authority aforesaid that such Persons permitted to retail as aforesaid by the said Commissioner or Commissioners who retail Strong Liquors not to be drank in their own Houses but Carried Elsewhere shall not be obliged to Enter into the Recognizance and take Licence as aforesaid any thing contained in this Act to the contrary notwithstanding.

AND BE IT ENACTED by the Authority aforesaid that in Case of the Death of any of the aforesaid Commissioners, the surviving Commissioner or Commissioners where such Death may happen shall be and hereby is and are entitled to the whole Reward, and vested with the same Powers and Authorities to Execute this Act as if no such Death had happened. And in Case of the Death or Refusal of all the Commissioners of any of the respective Cities Counties and Districts, then the Sheriff or Sheriffs for the Time being of the Cities Counties or Districts where such Death or refusal shall happen shall be and hereby is and are vested with all the Powers and Authorities given to the Commissioners by this Act shall be under the same Regulations and entitled to the same Rewards to all Intents Constructions and purposes whatsoever, as if they had been particularly named and Appointed in this Act, any thing in this Act to the contrary notwithstanding.



AND BE IT FURTHER ENACTED  
said, that all the Monies to be paid to the  
by Virtue of this Act, or recovered  
Bonds shall remain in the Hands of the  
for the Time being, to be disposed of as  
any Act or Acts passed or to be passed

AND BE IT ENACTED that the Re-  
York shall pay the Excise in three se-  
as the Commissioner and they shall ag-

PROVIDED ALWAYS that nothing construed to make Void abridge or any Rights and Privileges granted unto the Albany and Borough of West Chesterers, any thing contained in this Act notwithstanding

## CHAPTER 130

[Folder 1360 of Van Schaack, where the  
charts 1161 and 1171.]

An Act to ex-

"An Act for the

## “his Majesty's Quill”

"New York, and

"order thereto."

"other Act entitled

"of An Act intit

"collective collection"

\* Kents in the Cold

### \* Partition of Land

WHEREAS the said Act intituled, "effectual collecting of his Majesty's "New York, and for partition of Land in the second Year of his present Majesty said Act passed in the same Year into "part of an Act intituled an Act for the "of his Majesty's Quit Rents in the "for partition of Lands in order there own Limitation on the last Day of December the year of our Lord one thousand seven hundred and eighty five AND WHEREAS it has been evince said Acts have greatly facilitated the

Quit-Rents in this Colony, and also relieved many Coparceners and proprietors of tracts of Land in this Colony from the almost insuperable Difficulties they laboured under, in order to obtain a legal Division of their property.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that the above mentioned Acts and each of them shall be and hereby are continued and enacted to be and remain of full force and Virtue from and after the said last Day of December which will be in the Year of our Lord one thousand seven hundred & sixty nine, until the first Day of January which will be in the Year of our Lord one thousand seven hundred and eighty.

PROVIDED ALWAYS that the same shall continue and be in full force as to any proceeding commenced by Virtue of the said Act or Acts, relating either to the collecting of Quit-Rents, or to the partition of Lands before the said first Day of January, which will be in the Year of our Lord one thousand seven hundred and eighty, until a full and final settlement be made according to the true Intent and Meaning of the said Act or Acts. AND BE IT ALSO PROVIDED that Whereas in the eleventh Clause or Section of the said Act intitled, "An Act for the more effectual collecting of his Majesty's Quit Rents in the Colony of New York, and for partition of Lands in order there to," It is enacted, that the balloting for all such Lands or Allotments of Lands whereof partition shall be made by Virtue of the said Act is to be in the City of New York, before one or more of the Judges of the supreme Court, or one or more of his Majesty's Council in the manner therein directed and Whereas most of the Lands, in this Colony that remain still undivided are situated very remote from the City of New York, and as the Commissioners for making partition of Lands by Virtue of said Act, are in general appointed from amongst the Inhabitants residing in the vicinity of such Lands, in order therefore to save the great Expence, and to remedy the inconveniency occasioned by their being obliged to attend at the City of New York, for the sole purpose of balloting.

BE IT ENACTED by the Authority aforesaid that from and after the publication of this Act all balloting for Lands or Allotments of Lands of which partition hath or henceforth shall be made by Virtue of the said Act shall and may be before any one

or more of the Judges of the Supreme Court, or any one or more of his Majesty's Council, in any of the Cities or Counties in this Colony, where the Lands lay, or in any other of the Cities or Counties in this Colony where the Commissioners or the Majority of them shall judge the ballotting to be attended with the least expence to the proprietors of the Lands by them divided. AND WHEREAS it is also enacted in the seventh Clause or Section of the said first mentioned Act that three Commissioners shall be appointed to make partition of Lands intended to be divided by Virtue of the said Act, And in the seventeenth Clause or Section thereof the Commissioners so appointed are directed and empowered to administer an Oath to the Surveyor requiring him truly and impartially to perform the Survey, AND WHEREAS nevertheless in the partition of some Lands made by Virtue of said Act, one of the Commissioners hath acted as Surveyor and the Oath hath been administered unto him by the other two. AND WHEREAS Disputes may hereafter arise whether such partitions so made wherein one of the Commissioners hath acted in the double capacity of Commissioner and Surveyor hath been legally performed, to prevent which.

BE IT ALSO ENACTED by the Authority aforesaid, that all and every Partition of Land so made wherein one of the Commissioners hath acted in the double Capacity of Commissioner and Surveyor shall, to all Intents and purposes, be, and is hereby declared and Enacted to be, as legal Effectual and valid as if such partition or partitions had been made by three Commissioners and a Surveyor distinct from them, any thing in the said Act or Acts to the contrary thereof notwithstanding. PROVIDED NEVERTHELESS that in every other part of such partition or partitions the Commissioners and all others concerned have demeaned themselves in every respect conformable to the directions contained in the said Act, PROVIDED ALSO that nothing in this Act shall be taken or construed to Warrant empower or enable any one of the Commissioners hereafter to be appointed by Virtue of said Act to be employed as the Surveyor to make survey of the Lands of which they are directed to make partition.

## [CHAPTER 1361.]

[Chapter 1361 of Van Schaack, where the title only is printed. See chapter 1305. Expired January 1, 1772. Provided for by chapter 1315.]

An Act to amend and further to continue an Act, entitled, "An Act to lay a Duty of Tonnage on Vessels, for defraying the Expence of the Light House on Sandy Hook."

[Passed, December 31, 1768.]

BE IT ENACTED by his Excellency the Governor, the Council, and the General Assembly, and it is hereby enacted by the Authority of the same, That the Act, entitled, "An Act to lay a Duty of Tonnage on Vessels, for defraying the Expence of the Light House on Sandy Hook;" passed in the fourth Year of the Reign of his present Majesty, shall be, and hereby is continued in full Force and Virtue, to all Intents and purposes, until the first Day of January, which will be in the Year of our Lord, one thousand seven hundred and seventy two PROVIDED nevertheless that all Vessels arriving into the port of New York during the continuance of this Act, shall pay a Tonnage of two pence half penny, instead of three pence for every Ton such Vessel and Vessels shall Measure, according to the Rule prescribed by the said Act, except the Vessels therein particularly excepted: Any Law, Usage, or Custom to the contrary Notwithstanding.

## [CHAPTER 1362.]

[Chapter 1362 of Van Schaack, where the act is printed in full. See chapter 1330.]

An Act further to continue an Act, entitled, "An Act to regulate the Pilots, and establish their Pilotage between Sandy Hook and the Port of New York, and other purposes therein mentioned."

[Passed, December 31, 1768.]

BE IT ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby enacted by the Authority of the same, That the Act, entitled, "An Act to regulate the Pilots and establish their Pilotage between Sandy Hook and the port of New York, and other purposes therein mentioned;" passed in the fourth Year of the Reign of his

present Majesty, shall be, and hereby is continued, and every Clause, Matter, and Thing therein Contained, enacted to be and remain of Force to the First Day of January, which will be in the Year of our Lord, one thousand seven hundred and seventy Five

[CHAPTER 1363.]

[Chapter 1363 of Van Schaack, where the act is printed in full. Expired January 1, 1772. Revived by chapter 1478. Amended by chapter 1522.]

An Act for the better Determination of  
personal Actions depending upon Accounts

[Passed, December 31, 1763.]

WHEREAS instead of the antient Action of Account, Suits are of late, for the sake of holding to Bail, and to avoid the Wager of Law, frequently brought in Assumpsit, whereby the Business of unraveling long and intricate Accounts, most proper for the deliberate Examination of Auditors, is now cast upon Jurors, who, at the Bar, are more disadvantageously circumstanced for such Services; and this Burden upon Jurors is greatly increased, since the Law made for permitting Discounts in Support of a Plea of payment; so that by the Change of the Law and practice above mentioned the Suits of Merchants and others upon long Accounts are exposed to erroneous Decisions and Jurors perplexed and rendered more liable to Attaints; and by the vast Time necessarily consumed in such Trials other Causes are delayed, and the general Course of Justice is greatly obstructed.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council, and the General Assembly, and it is hereby enacted by the Authority of the same, that whenever it shall appear probable in any Cause depending in the Supreme Court of Judicature of this Colony (other than such as shall be brought by or against Executors or Administrators) that the trial of the same will require the Examination of a Long Account either of one side or the other, the said Court is hereby authorized with or without the Consent of Parties, to refer such Cause by Rule to be made at Discretion, to Referrees, who shall be three such Persons as the Court shall nominate, unless upon naming them the Parties agree upon and Name others, or shall elect that three Persons be balloted for out of the Panel of the Jurors summoned for the Trial of the Cause in the usual form of summoning for Jurors; which Referrees finally fix upon, shall Report



thereon, upon pain of Contempt, and If the Report or Award of the Referrees or of the Major part of them, shall be Confirmed by the said Court, and any sum be thereby found for the Plaintiff, Judgment shall be entered for the same with a Relicta Verificatiōe as by Confession, with Costs if by Law the Plaintiff would have recovered Costs had a Verdict passed in the same Cause for the sum so reported to be due; but if after payment pleaded any sum shall be reported to be due to the Defendant and the Award be confirmed, he shall have Judgment and recover his Costs, and to enable him to recover also the sum so found to be due to him, the Report of the Referrees shall be considered as a Record, and a Recovery be had by scire facias with Costs in the Manner directed by a certain Law of this Colony duly passed in the Year of our Lord One thousand seven hundred and fourteen, and now in full force, intitled [An Act for preventing the Multiplicity of Law Suits] and when such Referrees shall Report that nothing is due from the Defendant and the Report be confirmed, then Judgment shall be entered as by nonpross and the Defendant shall recover his Costs to be taxed, and such Judgment be a perpetual Bar

AND BE IT FURTHER ENACTED by the same Authority, that the Judges of the said Court in taxing the Costs, shall allow to the prevailing Party a reasonable sum for such Services and Expences as may Accrue after the Reference of the Cause; and that Process of Subpoena may issue to convene Witnesses before the Referrees as is usual on the Execution of Writs of Enquiry of Damages, who shall be examined upon Oath; And that there shall be allowed to each Referee signing a Report the sum of Eight shillings for every Day which the Judge shall think necessarily spent in the Business of the Submission, besides a reasonable allowance for their Expences, which allowance shall be paid by the Party in whose Favor the Report shall be made, and after the same shall be allowed to him in the Bill of Costs for which Judgment shall be signed. And that each Referee shall take an Oath before any Magistrate (who is hereby authorized to administer the same and Oaths to Witnesses to be examined before them) before he proceeds to the Business of the Reference, faithfully and fairly to hear and examine the Cause, and to make a true and just Report according to the best of his skill and understanding.

Provided always and be it Enacted that Nothing in this Act shall extend to authorize the said Court to refer in the Manner herein before mentioned any Cause already commenced unless with the Consent of all Parties

AND BE IT further enacted by the Authority aforesaid, that this act shall continue in force from the publication thereof until the first Day of January in the year of our Lord One thousand seven hundred and seventy one, and no longer, except as to all such Causes as may then stand upon Submission under the Act, and with respect to them till all the proceedings are completed.

[CHAPTER 1364.]

[Chapter 1364 of Van Schaack, where the act is printed in full. See chapters 1346, 1437 and 1490.]

An Act for amending an Act intituled  
 "an Act directing the Executors named in  
 "the last Will and Testament of Abraham  
 "De Peyster Esquire deceased, late Treasurer  
 "of this Colony, and Frederick De Peyster  
 "Esquire to deliver all Publick Monies  
 "in their Hands to the present Treasurer of  
 "this Colony and for other purposes therein  
 "mentioned."

[Passed, December 31. 1763.]

WHEREAS It is Enacted by the said Act, That the Executors named in the Last Will and Testament of the said Abraham De Peyster Esquire deceased, and Frederick De Peyster Esquire who Acted as Treasurer of this Colony for some time after the Decease of the said late Treasurer should when thereunto respectively required by the present Treasurer of this Colony or by the Treasurer for the Time being deliver or cause to be delivered unto the present Treasurer of this Colony or the Treasurer of this Colony for the Time being exact distinct and particular Accounts on Oath of all persons indebted for Duties together with the amount of what sums they respectively owe, as also such securities as might have been taken for the same and that the said Executors of the said late Treasurer should when thereunto required, deliver or cause to be delivered on Oath to the said present Treasurer of this Colony, or to the Treasurer for the Time being a List or Account of all persons owing Money and how much for the Duty of Excise on strong Liquors retailed in this Colony together with all Accounts and securities for the same.

AND WHEREAS Abraham Lott Esquire the present Treasurer of this Colony, or the Treasurer of this Colony for the Time being by the Act aforesaid was directed and required, within twelve Months after the Publication of the said Act to put all and every Account and security then due for the said several Duties in Suit in the manner prescribed by the said Act.

AND WHEREAS from the Great Number of those indebted for the said Duties, and the difficulty of discovering them, it is impossible for the said Treasurer to comply with the Directions of the said Act, in putting the said Accounts and securities in suit within the Time limited as aforesaid.

AND WHEREAS the present scarcity of Money renders it impracticable for many who are chargeable with considerable sums on Account of the said Duties immediately to discharge the same although their Estates be sufficient for that purpose.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council and the General Assembly and it is hereby Enacted by the Authority of the same, That the time for putting the said Accounts and securities in suit as aforesaid shall be and is hereby prolonged until the first Day of February which will be in the year of our Lord one thousand seven hundred and seventy, and that the said Treasurer or the Treasurer of this Colony for the Time being shall before the expiration of the said last mentioned Time, cause suits to be commenced against all and every such person chargeable with any of the said Duties as he may discover in this Colony, and prosecute the same in the manner and for the purposes specified in the Act aforesaid.

AND BE IT FURTHER ENACTED by the Authority aforesaid, That it shall and may be Lawful to and for the said Treasurer, and the Treasurer of this Colony for the Time being to take in his own Name but as Treasurer of this Colony Mortgages upon real Estates in this Colony for securing any of the said Duties.

PROVIDED ALWAYS that the sums to be secured by such Mortgage be made payable within one Year from the date of such Mortgages with Interest after the Rate of five per Cent per annum and that a Bond be taken with every such Mortgage as a Collateral security, and all the Monies to be received for Interest upon such Bonds and Mortgages, shall together with the principal sum be disposed of and applied according to the Directions of the act aforesaid.

## [CHAPTER 1365.]

[Chapter 1365 of Van Schaack, where the title only is printed.]

An Act to empower the Mayor Recorder and Alderman of the City of New York the Major part of them to order the raising of a Sum not exceeding sixteen hundred Pounds for the uses therein mentioned.

[Passed, December 31. 1790.]

WHEREAS the providing a sufficient Number of Watch and Lighting of Lamps within the City of New York has only been found convenient, but also necessary for the safety of its Inhabitants and others.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby enacted by the authority of the same, that the Mayor, Recorder and Aldermen of the City of New York for the time being or the Major part of them, whereof the Mayor or Recorder to be chosen shall have full power and authority, and are hereby fully empowered and Authorized on the second Tuesday in January next or within ten Days thereafter to order the raising of a Sum not exceeding sixteen hundred Pounds by a Tax upon Estates real and personal of all and every of the Freeholders Freemen Inhabitants Residents and Sojourners within the City of New York on the south side of Fresh water for the payment of so many Watches as the Mayor, Alderman and Commonalty of the City of New York shall think necessary for guarding the City and for purchasing Oil, providing Lamps, and for repairing and attending Lamps which now are or hereafter may be erected and adding the same sum of sixteen hundred Pounds to the Sum which shall be raised for the Minister and Poor of the said City which Tax to be laid shall be rated and Assessed at the same time and by the vestrymen who shall rate and Assess the Tax for the Minister and Poor of the said City and shall be rated together in one Assessment made of the whole the vestrymen first taking Oath before to be taken in and by an Act intitled "An Act to enable the Inhabitants of the City of New York to chuse two vestrymen for each respective Ward within the said City," made and passed in the nineteenth Year of the Reign of his late Majesty King George the second, and the Tax so to be laid shall be collected levied and paid at the same time as the Tax for the

tenance of the Minister and Poor of the said City hath been accustomed into the Hands of the Church wardens of the said City for the time being who are hereby required and directed to pay the same into the Hands of the Chamberlain of the said City to be by him paid as he shall be directed by Warrant or Warrants of the said Mayor Aldermen and Commonalty in Common Council convened for the uses aforesaid.

AND BE IT FURTHER ENACTED by the Authority aforesaid that over and above the Sum of sixteen hundred Pounds to be levied and paid by virtue of this Act the Sum of three Pence in the Pound as a Reward to the Constables for their Trouble shall be assessed levied and paid to the respective Constables for collecting and paying the same and no more according to the true Intent and meaning of this Act any thing herein or in any Other Act or Acts contained to the contrary hereof in any wise notwithstanding.

AND BE IT FURTHER ENACTED by the authority aforesaid that if the said Mayor Recorder or Aldermen, Church Wardens, Vestrymen or Constables of the said City of New York who are hereby Authorized empowered and required to take effectual Care that this Act be executed according to the true Intent and meaning thereof, or any of them, shall deny refuse or delay to perform execute or comply with all or any of the Powers Authorities and Duties in this Act given and required to be done and performed by them or either of them and thereof shall be Lawfully convicted in any Court of Record in this Colony; he or they so denying refusing or delaying to perform the Duties as aforesaid shall suffer such Pains and Penalties by Fine and Imprisonment as by the discretion of the said Court shall be adjudged.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any person or persons shall wilfully break or damage any of the Lamps now erected or hereafter to be erected within the said City, he she or they so offending shall forfeit the sum of twenty Pounds for every Lamp he she or they shall damage or break as aforesaid to be levied by Warrant or Warrants under the Hands and Seals of two or more of his Majesty's Justices of the Peace for the City and County of New York by distress and sale of the Offenders Goods and Chattels on due Conviction made upon the Oath of one or more Credible Witness or Witnesses rendering the overplus if any there be to the Owner or



Owners, and for want of such distress, the Offender or Offenders shall be imprisoned by Warrant under the Hands and Seals of the said Justices (who are hereby required to issue the same) in the space of three Months unless the said Forfeiture or Forfeitures be sooner paid, which Forfeitures shall be applied toward providing and repairing of Lamps and paying the Watchmen.

AND BE IT FURTHER ENACTED by the Authority aforesaid that all such persons as shall be employed to guard the City and attend the Lamps shall be under the direction of the Mayor and Aldermen and shall obey such Orders as they shall from time to time receive from the Mayor Aldermen Commonalty, any Custom Law or Usage to the contrary hereof in any wise notwithstanding.

#### [CHAPTER 1366.]

[Chapter 1366 of Van Schaack, where the act is printed in full, is chapter 1282.]

An Act to amend an Act intitled "An Act for the more effectual preventing of Fires and for regulating of Buildings in the City of New York", and to indemnify persons as have incurred the Penalties mentioned in the said Act.

[Passed, December 31, 1765.]

WHEREAS by an Act intitled, "an Act for the more effectual preventing of Fires, and for regulating of Buildings in the City of New York" made and passed the thirteenth Day of December in the Year of our Lord one thousand seven hundred and sixty one, it was among other things therein and thereunto Enacted that from and after the first Day of January in the Year of our Lord one thousand seven hundred and Sixty six that every dwelling House or Building whatsoever whether Public or private that should thereafter be erected within the said City to the Southward of Fresh Water should be made of Stone or Brick and Roofed with Tile or Slate.

AND WHEREAS by another Act intitled "an Act to prolong the Time for covering the Buildings in the City of New York with Slate or Tile from the first Day of January in the Year of our Lord one thousand seven hundred and sixty six, to the first day of January in the Year of our Lord one thousand seven hundred and sixty eight," made and passed the twentieth Day of December in the sixth Year of his present Majesty,

Reign, it was among other things therein and thereby Enacted that it should and might be Lawful for the proprietor or proprietors of any Dwelling Houses or Buildings whether public or private that then were erected or built, or that should or might be erected or built within the said City to the Southward of fresh-water on or before the first Day of January in the Year of our Lord one thousand seven hundred and sixty eight, to cover or Roof, or cause to be covered or roofed the same dwelling Houses or Buildings with Boards or Shingles or in such other manner, as was accustomed before the making the first above recited Act.

AND WHEREAS it is found that a sufficient Quantity of Slate and Tile could not be procured to cover and roof the Buildings hitherto erected, and by means of sundry Difficulties at present attending the making and erecting the Buildings with Brick or Stone, it is conceived necessary that the regulations respecting the same in the said first recited Act mentioned should be prolonged to a future Day.

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and General Assembly, and it is hereby Enacted by the Authority of the same that from the Publication of this Act to the first Day of January which will be in the Year of our Lord one thousand seven hundred and seventy four, it shall and may be Lawful to and for any person or persons in the City of New York to the Southward of Fresh Water to Build or Erect or cause to be built and Erected any Dwelling House or other Building either Public or private with Wood or other Materials and cover the same and any other Buildings already erected that may want new Roofs, with Boards or Shingles, or make erect and Cover the same in such other manner as was accustomed before the making the said first recited Act anything in the said first recited Act to the contrary thereof in any wise notwithstanding.

AND BE IT ENACTED by the Authority aforesaid that all and every person and persons whatsoever who have committed any offence contrary to the directions of the said first recited Act or have neglected to do any matter or thing required by the said Act shall be and is and are hereby indemnified from all penalties and forfeitures which he she or they may have incurred for such Offence or Offences neglect or neglects.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that every Building either Public or private that has been

made or erected or that has been roofed or covered since first above mentioned Act has been in force contrary thereto hereby declared to be no Nuisance for or on Account of it being built or covered contrary to the Directions of the said Act but that the said Buildings and each of them are and shall be deemed and considered as if the above recited Act had not been made, any thing in the above first recited Act to the contrary hereof in any wise notwithstanding.

[CHAPTER 1367.]

[Chapter 1367 of Van Schaack, where the act is printed in full. Chapters 670 and 1193.]

An Act further to increase the Number of Firemen in the City of New York.

[Passed, December 31, 1762.]

WHEREAS by and Act intituled "AN ACT for the better extinguishing of Fires that may happen within the the City of New York," passed in the eleventh Year of the Reign of late Majesty King George the second it is among other things enacted. That the Mayor Aldermen and Commonalty of the City of New York or the Major part of them in Common Council convened shall elect nominate and appoint a sufficient Number Strong, able, discreet, honest and sober Men willing to accept not exceeding forty two in number out of the six Wards of the said City on the south side of Fresh Water) to be the Firemen of the City of New York.

AND WHEREAS the number of Fire Engines belonging to the said City, having greatly increased, by another Act intituled "An Act to increase the Number of Firemen within the City of New York," passed in the third Year of the Reign of his present Majesty King George the third the said Mayor Aldermen and Commonalty of the City of New York or the Major part of them in Common Council convened were thereby empowered to elect nominate and appoint thirty more able honest sober discreet Men (willing to accept being Freeman of or Freeholders within the said City) to be added to the Number of Firemen of the said City of New York since which there has been an addition in the Number of Fire Engines of the said City, and the present Firemen are not sufficient to work the same.

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby

enacted by the Authority of the same, that the Mayor Aldermen and Commonalty of the City of New York or the Major part of them in Common Council convened shall with all convenient speed (after the publication of this Act) elect nominate and appoint forty nine more able honest sober discreet Men (willing to accept) being Freemen of or Freeholders within the said City (to be added to the Firemen of the said City appointed in virtue of the above recited Acts) who when elected shall be hereby excused from the several Offices and Duties as the Firemen are by the above recited Acts and be liable to the Rule order ordinance and regulations Fines and Penalties as the Firemen are liable and subject to by the first above recited Act.

AND BE IT HEREBY FURTHER ENACTED by the Authority aforesaid that the Mayor Aldermen and Commonalty of the City of New York or the Major part of them in Common Council convened may displace any of the Firemen to be appointed by this Act for default or neglect of Duty and others appoint in their room and stead from time to time, and so often as they shall think necessary.

[CHAPTER 1368.]

[Chapter 1368 of Van Schaack, where the title only is printed.]

An Act to enable the Mayor, Recorder, Aldermen and Commonalty of the City of Albany for the time being, or the Major Part of them to order the raising a Sum not exceeding two hundred and fifty Pounds for the uses therein mentioned.

[Passed, December 31, 1768.]

WHEREAS the establishing of a regular and well Constituted Watch in the said City will tend to the safety and preservation of the Inhabitants in their persons and Effects.

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly, and it is hereby enacted by the authority of the same, that the Mayor, Recorder Aldermen and Commonalty of the said City for the time being or the major part of them, whereof the Mayor or Recorder to be one shall have full power and Authority, and are hereby fully empowered and authorized, on or before the first day of March next to order the Assessors for the said City to assess levy and cause to be collected a Sum not exceeding two hundred and fifty

Pounds by a Tax upon the Estates real and personal of all and every the Freeholders Freemen, Inhabitants, residents and Sojourners within such part of the Limits and Bounds of the said City as the Mayor, Recorder Aldermen and Commonalty shall direct, for the payment of so many Watchmen as they shall think necessary to guard said City and for the other charge that will necessarily accrue in maintaining a Watch, and the Assessors for the said City are hereby required at their first meeting at or after the receipt of such Order from the Mayor Recorder, Aldermen and Commonalty aforesaid, to Assess let and cause to be collected the said Sum in the same manner as the other necessary and contingent charges of the said City usually are, and the Collector is hereby directed and required to pay the same into the Hands of the Chamberlain of the said City for the time being, to be by him paid as he shall be directed by Warrant or Warrants of the said Mayor, Recorder, Aldermen and Commonalty for the time being, or the major part of them whereof the Mayor or Recorder to be one.

AND BE IT FURTHER ENACTED by the authority aforesaid that the Collector shall retain in his Hands three pence of the Pound, of every Pound so raised by Virtue of this Act, as a reward for his Trouble in Collecting and paying the same and no more.

AND BE IT ALSO ENACTED by the Authority aforesaid that all such Watchmen as shall be employed to Guard the said City shall be under the Direction of, and Obey such Orders as they from time to time shall receive from, the said Mayor Recorder Aldermen and Commonalty in Common Council convened, any Law, usage or Custom to the Contrary hereof notwithstanding.

#### [CHAPTER 1369.]

[Chapter 1369 of Van Schaack, where the title only is printed. Expires the 1st of January, 1770.]

An Act to amend an Act entitled, "An Act for regulating, clearing and further laying out public Highways throughout the City and County of Albany."

[Passed, December 31, 1763.]

WHEREAS so much of the said Act passed in the thirty third Year of the Reign of his late Majesty as relates to the Highway



In the City of Albany hath been found not to answer the Good purposes thereby intended

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby enacted by the Authority of the same that all and every Clause in the said Act as far as relates to the City of Albany shall be is and are hereby repealed and declared null and void and that the Mayor or Recorder Aldermen and Commonalty of the said City for the Time being shall be and are hereby appointed Commissioners to regulate and keep in Repair the present Highways and Bridges and to regulate and keep in Repair such other public Roads or Highways in the said City as they shall from Time to Time hereafter lay out and for the more effectual doing thereof.

BE IT ENACTED by the Authority aforesaid that it shall and may be lawful to and for the said Mayor, Recorder, Aldermen and Commonalty in common Council convened and they are hereby required on or before the first Day of April next ensuing to issue their Warrant under the Seal of the Corporation directed to the Assessors of the said City requiring them or the Major part of them for the Time being to assess levy and cause to be collected of and from the Estates real and personal of all the Freeholders Inhabitants residents and Sojourners within the Limits and Bounds of the said City the Sum mentioned in such Warrant and the Collector is here by directed and required to pay the same into the Hands of the Chamberlain of the said City retaining in his own Hands for the Trouble of collecting the same three pence in the pound provided always that the Sum so to be raised does not exceed the Sum of thirty pounds, and the said Mayor, Recorder Aldermen and Commonalty in common Council convened shall and may employ such and so many persons as they shall judge proper to keep the said Highways and Bridges in Repair and out of the Money to be raised by this Act to pay such person or persons so by them employed and the Overplus if any there be to be laid out in any other necessary Services for the said City

AND BE IT FURTHER ENACTED by the Authority aforesaid that the said Sum or Sums of Money to be raised by Virtue of this Act shall be assessed levied and collected in the same Manner as the other contingent and necessary Charges of the said City are. AND WHEREAS by part of the first Clause of the said Act Cornelius Van Schaack Tobyaas Van Beuren, Barent

Van Buren and Isaac Muller are appointed Commissioners of the Highways from the Southermost Bounds of Kinderhook through the Woods to Green Bush: AND WHEREAS it is a only a great Grievance to the Inhabitants of Kinderhook to be obliged to keep in Repair the Roads and Bridges for so great distance but also tends to frustrate the good purposes intended by said Act.

BE IT THEREFORE ALSO ENACTED by the Authority aforesaid that from and after the publication of this Act the Inhabitants of Kinderhook shall (In the Manner as in the said Act is directed) amend and repair the Highways from the Southermost Bounds thereof to the South Bounds of the upper Manor of Renselaer and that Cornelius Van Schaack Tobias Van Buren Barent Van Buren and Peter Vosburgh shall and are hereby appointed Commissioners For the District aforesaid and shall have and enjoy all the powers that are given to the other Commissioners appointed by the said Act

AND BE IT FURTHER ENACTED by the same Authority That Killyaen Van Renselaer Isaac Muller, Philip Deforeest and Evert Lansing be Commissioners for the Manor of Renselaer from the Southermost Bounds thereof to the House of Dirck VanDerheyden and shall have and enjoy all the powers that are given to the other Commissioners appointed by the said Act and all Things in any other Act or Acts to the contrary hereof Notwithstanding. This act to be in Force from the Time of its publication until the first Day of January one thousand seven hundred and seventy.

#### [CHAPTER 1370.]

[Chapter 1370 of Van Schnack, where the act is printed in full]

An Act for the preservation and translation of the Dutch Records of the City and County of Albany.

[Passed, December 31, 1763.]

WHEREAS there remain in the Clerks Office for the said City and County many Records of Ground Briefs, Indian Deeds, Conveyances and Other Writings and Instruments which greatly concern the Estates and property of the Freeholders and other Inhabitants of the said County, and in their present Condition are in danger of being lost.

AND WHEREAS many of the most antient of the said Records are Written in a manner which from it's long disuse renders them almost illegible, and from the prevalence of the English Language those valuable Evidences may soon become utterly unintelligible to the great detriment of many persons who have Interests in the said City and County.

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby enacted by the Authority of the same that the Clerk of the said City and County for the time being shall at the request of such person or persons as the Mayor, Recorder Aldermen and Commonality of the said City of Albany shall by their order in common Council appoint to receive all the Dutch Records and Writings remaining in his custody deliver the same to him or them for the purposes herein after mentioned; taking his or their Receipt for the same; the said person or persons having first taken an Oath before the Mayor of the said City in Common Council that he or they will faithfully perform the Trust reposed in him or them by virtue of this Act according to the best of his or their skill and Understanding, and that he or they will not make or suffer to be made any additions, Diminutions, Alterations, Erasures or Obliterations whatever of, to or in any of the said Original Records, nor wilfully suffer any of them to be lost or destroyed, nor deliver or suffer to be delivered any Copy or Copies thereof otherwise than to the Clerk of the said City and County for the time being or to his Deputy

AND BE IT FURTHER ENACTED by the same Authority that such Trustee or Trustees shall with all convenient speed after the receipt of the said Records and Writings cause the same to be bound up in Volumes with an Index or Table to every Volume of the contents thereof with suitable references thereto, and truly translate the same into the English Language and cause the same Translations to be also bound up in Volumes with an Index or table to every Volume, of the contents thereof with suitable references thereto, and then redeliver the said Original and translated Volumes to the Clerk of the City and County for the time being to remain in his Office. and towards defraying the Expence of the Work and service aforesaid.

BE IT ALSO ENACTED by the Authority aforesaid that there shall be Assessed and levied upon the Estates real and personal of the Freeholders and Inhabitants of the said City,

and County the sum of three hundred pounds, and that Supervisors of the said City and County, or the major part of them at their first meeting after the publication of this Act shall cause the said Sum to be assessed levied and Collected in the same manner with the other necessary and contingent Charges and the respective collectors thereof shall pay the same to the Treasurer of the said City and County, who shall pay the same or such part thereof as the Mayor of the said City with the advice of the Common Council thereof, shall direct to such Committee or Trustees for the Work and service by them performed and if any Balance shall remain in the Hands of such Treasurer or Treasurers, the same shall be Applied as part of the other Necessary and contingent charges of the said City and County of Albany.

## [CHAPTER 1371.]

[Chapter 1371 of Van Schaack, where the title only is printed.]

An Act to raise within the Township of Schenectady the Sum of two hundred and twenty seven Pounds ten Shillings, and a farther sum of Forty four Pounds two Shillings to and for the uses there mentioned.

[Passed, December 31, 1768]

WHEREAS several of the Inhabitants of the Town of Schenectady did lately purchase a Fire Engine for the use of the Town, and did by subscription amongst themselves collect a Sum of Money towards the payment thereof, which nevertheless fell considerably short of the price the said Engine was purchased for.

And WHEREAS by an Act of the Legislature of this Colony intitled "An Act to raise within the Bounds and Limits of the Township of Schenectady the Sum of eighty Pounds towards paying for a Fire Engine purchased for the use of the said Township passed in the fourth Year of his Majesty's Reign, the Supervisors of the City and County of Albany were directed to raise levy and collect from the Freeholders, Inhabitants and sojourners of the Township of Schenectady the Sum of eighty Pounds intended to supply the deficiency of said subscription.

AND WHEREAS the said Sum of eighty Pounds so intended to be raised by the said Act has not been Assessed or collected by reason that no provision had been made in the said Act to

such persons who have subscribed for the payment of the said Engine should be exempted from any further payments.

AND WHEREAS it is reasonable and just that all the Inhabitants in the said Town should bear their proper share and proportion in the charge of the said Engine.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby enacted by the authority of the same, that it shall and may be lawful to and for the Supervizers of the City and County of Albany or the Major part of them, and they are hereby directed and required at their first meeting next after the Publication of this Act to raise or cause to be raised levied and collected of and from the several Freeholders inhabitants and sojourners dwelling and residing, or that hold Estates in that part of the said Township which lays on the south side of the Mohawk River and within the Circuit of one English Mile from the Dutch Church there, the Sum of two hundred and twenty seven Pounds ten Shillings which said Sum shall be raised levied and collected in the same manner as the Other necessary and contingent Charges of the said Township are, and the said supervizers are hereby also required and directed to raise or cause to be raised levied and Collected of and from all the Freeholders Inhabitants and Sojourners of the said Township the further Sum of forty four Pounds twelve shillings in the same manner, and at the same time as the first mentioned sum of two hundred and twenty seven Pounds ten Shillings is hereby directed to be raised.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Monies so to be raised by this Act shall by the Collector or Collectors thereof be paid unto the Justices of the Peace residing within the Town aforesaid, or to the Major part of them, part of the said sum of two hundred and twenty seven Pounds ten shillings to be by them applied in repaying the several persons who have advanced Money for the aforesaid Fire Engine and the remainder thereof in paying the Ballance due for the said Fire Engine, and the said sum of forty four Pounds twelve shillings to be paid to John Glen junior for so much expended by him in building a Stone Bridge within the Limits of the said Township, any thing in the before recited Act to the contrary hereof notwithstanding.



and County the sum of three hundred pounds, and that the Supervisors of the said City and County, or the major part of them at their first meeting after the publication of this Act shall cause the said Sum to be assessed levied and Collected in the same manner with the other necessary and contingent Charges and the respective collectors thereof shall pay the same to the Treasurer of the said City and County, who shall pay the same or such part thereof as the Mayor of the said City with the advice of the Common Council thereof, shall direct to such Trustees or Trustees for the Work and service by them performed and if any Balance shall remain in the Hands of such Treasurer or Treasurers, the same shall be Applied as part of the other Necessary and contingent charges of the said City and County of Albany.

**[CHAPTER 1371.]**

**[Chapter 1371 of Van Schaack, where the title only is printed.]**

**An Act to raise within the Township of Schenectady the Sum of two hundred and twenty seven Pounds ten Shillings, and the farther sum of Forty four Pounds twelve Shillings to and for the uses there mentioned.**

**[Passed, December 31, 1763.]**

**WHEREAS** several of the Inhabitants of the Town of Schenectady did lately purchase a Fire Engine for the use of said Town, and did by subscription amongst themselves collect a Sum of Money towards the payment thereof, which nevertheless fell considerably short of the price the said Engine was purchased for.

And **WHEREAS** by an Act of the Legislature of this Colony intitled "An Act to raise within the Bounds and Limits of the Township of Schenectady the Sum of eighty Pounds towards paying for a Fire Engine purchased for the use of the said Township passed in the fourth Year of his Majesty's Reign, the Supervisors of the City and County of Albany were directed to raise levy and collect from the Freeholders, Inhabitants and sojourners of the Township of Schenectady the Sum of eighty Pounds intended to supply the deficiency of said subscription.

**AND WHEREAS** the said Sum of eighty Pounds so intended to be raised by the said Act has not been Assessed or collected by reason that no provision had been made in the said Act the

such persons who have subscribed for the payment of the said Engine should be exempted from any further payments.

AND WHEREAS it is reasonable and just that all the Inhabitants in the said Town should bear their proper share and proportion in the charge of the said Engine.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby enacted by the authority of the same, that it shall and may be lawful to and for the Supervizers of the City and County of Albany or the Major part of them, and they are hereby directed and required at their first meeting next after the Publication of this Act to raise or cause to be raised levied and collected of and from the several Freeholders inhabitants and sojourners dwelling and residing, or that hold Estates in that part of the said Township which lays on the south side of the Mohawk River and within the Circuit of one English Mile from the Dutch Church there, the Sum of two hundred and twenty seven Pounds ten Shillings which said Sum shall be raised levied and collected in the same manner as the Other necessary and contingent Charges of the said Township are, and the said supervizers are hereby also required and directed to raise or cause to be raised levied and Collected of and from all the Freeholders Inhabitants and Sojourners of the said Township the further Sum of forty four Pounds twelve shillings in the same manner, and at the same time as the first mentioned sum of two hundred and twenty seven Pounds ten Shillings is hereby directed to be raised.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Monies so to be raised by this Act shall by the Collector or Collectors thereof be paid unto the Justices of the Peace residing within the Town aforesaid, or to the Major part of them, part of the said sum of two hundred and twenty seven Pounds ten shillings to be by them applied in repaying the several persons who have advanced Money for the aforesaid Fire Engine and the remainder thereof in paying the Ballance due for the said Fire Engine, and the said sum of forty four Pounds twelve shillings to be paid to John Glen junior for so much expended by him in building a Stone Bridge within the Limits of the said Township, any thing in the before recited Act to the contrary hereof notwithstanding.

## [CHAPTER 1372.]

[Chapter 1372 of Van Schaack, where the act is printed in full.]

An Act to enable the Inhabitants of  
Manor of Livingston to choose an additional  
Assessor, and two Constables.

[Passed, December 31, 1770.]

WHEREAS an Act of the Governor, Council and General Assembly entitled "An ACT for annexing that part of the Manor of Livingston which now lies in Dutchess County to the County of Albany"; passed in the third Year of the Reign of his late Majesty King George the first among other Things does empower the Inhabitants of the said Manor, annually elect and choose, one Supervizer, one Treasurer, one Assessor and one Collector for the said Manor: And it being found necessary for the Conveniency of the Inhabitants of said Manor to make an additional Assessor and two Constables

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council, and the General Assembly, and it is hereby enacted by the Authority of the same, that from and after the Publication of this Act it shall and may be lawful to and for the Inhabitants of the Manor of Livingston, and they are hereby empowered to elect and choose one additional Assessor and two Constables, yearly at the Times already fixed, for the Election of such officers, who shall have the same power, Authority, Office and Function and do, perform, execute and serve, and be liable to the same pains and Penalties as the Assessors and Constables of the several and respective Counties within this Colony be lawfully ought, or are entitled to have, do, perform, and be liable to, by Law, Usage or Custom to the Contrary in any Manner Notwithstanding

## [CHAPTER 1373.]

[Chapter 1373 of Van Schaack, where the act is printed in full. Continued by chapter 1468. Expired January 1, 1771.]

An Act to prevent Frauds by Bills of Sale which shall be made and executed at or before the first Day of March in the Year of our Lord one thousand seven hundred and seventy nine in the Counties therein mentioned.

[Passed, December 31, 1770.]

WHEREAS divers Frauds have been committed in Dutchess, Richmond, Orange and Queen's Counties by persons converting their Goods, Chattels and Effects by Bill of Sale by Way

Mortgage or collateral Security and afterwards selling the same to other persons who were ignorant of such former Sales whereby many persons have been defrauded of very considerable Sums of Money for the preventing whereof for the future.

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby enacted by the Authority of the same that immediately from and after the publication of this Act, each and every of the Clerks of the several and Respective Towns and precincts within the Counties of Dutchess Orange and Queen's Counties, and the County Clerk of Richmond shall provide a fit and proper Blank Book for registering of all Bills of Sale of Goods Chattels and Effects which are given by way of Mortgage or collateral Security, not under the Value of Five pounds nor upwards of one hundred pounds which shall be made and executed for any Goods or Chattels within their respective Towns and precincts after the first Day of March in the Year of our Lord one thousand seven hundred and sixty Nine in which Register shall be entered the particular Goods Chattels and Effects conveyed, the Names of the persons by and to whom sold the Dates of the respective Bills of Sale the Consideration Money and the Time when registered and recorded, and for the registering whereof the said Clerk shall have and receive the Sum of one Shilling and six pence For each Bill of Sale so registered and no more; to which Register all persons whatsoever at proper Seasons shall have recourse and search he paying to the said Clerk the Sum of Six pence and no more PROVIDED always that before any such Bill of Sale shall be so entered in any such Register the same shall be proved on Oath by the Grantor or Grantors that executed the same before one of the Judges or Justices of the said County that it was for a bona fide Debt of the Value specified in the said Bill or Bills of Sale and not given with an Intent to defraud for which the Judge or Justice shall have and receive the Sum of one Shilling and six pence for each Bill of Sale so proved and no more and that the Clerk of every Town or precinct shall be sworn before any one of the Judges of the Inferior Court of common pleas for the County well and faithfully to execute the Duty required of him by this Act and to enter no Bill or Bills of Sale unless the same has been proved as aforesaid and the proof endorsed on the Back of such Bill or Bills of Sale

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any person or persons whatsoever shall after the first Day of March one thousand seven hundred and sixty give any Bill of Sale in Writing by way of Mortgage or collateral Security for any Goods Chattels or Effects whatever for any Consideration not under five pounds, nor more than one hundred pounds within the said Counties to two or more persons at different Times and any Doubt or Dispute shall arise about the priority of such Bill of Sale that then and in such Case the Bill of Sale first entred on the Register in manner before directed shall be deemed and taken, and is hereby declared and shall be adjudged to be the first and prior Bill of Sale, any Law Usage or Custom to the contrary thereto notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that whenever any Bill of Sale so registered as aforesaid (that has been given by way of Mortgage or Collateral Security) shall be redeemed paid off and discharged the Clerks of the respective Towns and precincts in the Counties aforesaid upon Application to them made by the person or persons giving the same or the persons redeeming paying off and discharging the same and producing a Certificate to the respective Clerks of the respective Towns and precincts in the Counties of Dutchess Orange and Queen's, or the County Clerk of Richmond signed by the person or persons to whom the same was given, his Executors, Administrators or Assigns, and acknowledged by the party or parties signing the same or proved by the Oath of one or more of the Witnesses thereto, before the said Judges or Justices shall and they are hereby required to enter in the aforesaid Book or Register of Bills of Sale a Minute of the said Discharge or Discharges for which on Entry the respective Clerks shall have and receive the Sum of Nine pence and no more which Minutes so entred shall be deemed and taken and hereby is declared to be a full and absolute Discharge of every such Bill of Sale.

AND BE IT ALSO FURTHER ENACTED by the Authority aforesaid that the respective Clerks of the several Counties aforesaid shall publicly read this Act in the first Court of Sessions of the peace for their said respective Counties next after publication hereof.



AND BE IT FURTHER ENACTED by the Authority aforesaid that this Act shall continue and be in Force until the first Day of January one thousand seven hundred and seventy

[CHAPTER 1374.]

[Chapter 1374 of Van Schaack, where the act is printed in full.]

An Act to amend an Act, entitled, "An  
"Act for the more effectual destroying of  
"Wolves and Panthers in the Counties of  
"Ulster, Dutchess and Orange."

[Passed, December 31, 1768.]

WHEREAS in and by the aforesaid Act passed in the fourth Year of the Reign of his present Majesty, it is provided and enacted in the first Clause or Section thereof; That every person being an Inhabitant of each of the said Counties, who shall actually take, kill or destroy any wolf or wolves, Whelp or Whelps, Panther or Panthers within the Counties aforesaid shall be entitled to, and receive the Reward following; that is to say; for every grown Wolf or Panther the Sum of thirty Shillings; and for every Whelp or Whelps the Sum of fifteen Shillings; to be paid by the County Treasurers respectively AND WHEREAS it is found by Experience that the Rewards so offered by the said Act are insufficient to Answer the Good purposes thereby intended.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council, and the General Assembly, and it is hereby enacted by the Authority of the same that instead of the said Reward of thirty Shillings for every grown Wolf or Panther, and fifteen Shillings for every Whelp, there shall be allowed a Reward of three pounds for every grown Wolf or Panther, and of thirty Shillings for every Whelp, that shall hereafter be so proved as by the said Act is directed to be actually taken, and killed or destroyed, within the Counties of Ulster and Orange; and the said Rewards are hereby directed to be paid in the same Manner, and by the same persons as in and by the said Act is required any Thing contained in this or any other Act or Acts to the contrary, thereof notwithstanding

## [CHAPTER 11]

[Chapter 1875 of Van Schaack, where the  
so far as relates to Ulster county, by ch.  
1, 1776.]

An Act for the  
Counties of Ulster  
the Freeholders and  
ral Towns and  
Overseers of the  
Meetings.

WHEREAS the poor of the said Counties  
are of late much more numerous than  
very Burthensome unless a suitable pro-  
vidences, and relieve only such as are fit

BE IT THEREFORE ENACTED by the  
Governor, the Council and the General As-  
sembly, enacted by the Authority of the same  
Inhabitants in every Town and precinct  
and may at their annual Meetings for  
other Officers also elect and choose by  
the Freeholders and Inhabitants of  
respectively two Freeholders Resident  
precincts to be Overseers of the Poor the  
Office for one Year and within twenty  
take an Oath before one of his Majesties  
within the Counties aforesaid well and  
Duty required of them respectively to  
best of their Skill and Understanding  
ers and Inhabitants of the said Towns  
may at the same Time in like Manner  
respective Towns and precincts who  
shall enter and continue in his Office until and

AND BE IT FURTHER ENACTED  
that the Majority of the Freeholders  
respective Towns and precincts, with  
the same annual Meetings, may, and  
make prudential Rules and Order for  
blinding out as Apprentices the Children  
unable to maintain them and for compen-  
sation as have no Visible Way of gaining a

the same Meetings agree on such Sum or Sums of Money as they may think proper for the purposes aforesaid in the Course of the ensuing Year and for an Allowance to the Clerks of all which said Rules and Orders and of the sum or Sums so agreed upon and other the Transactions of every such meeting The Clerks respectively shall make full and proper Entries in a Book to be by each of them provided and kept for that purpose and as soon as conveniently may be after such annual Meeting lodge a Copy thereof certified to be a true Copy under their Hands respectively in the Office of the Clerk of the same County.

AND BE IT FURTHER ENACTED by the same Authority that a Copy of the Entry respecting the Sum or Sums agreed to be raised for the purposes aforesaid shall be forthwith delivered signed by the said Clerks respectively and the Overseers of the Poor of the said Towns or precincts to the Supervisors or one of them, who shall lay the same before the Supervisors for the Respective Counties aforesaid at their first Meeting and the same Sum or Sums shall be levied upon the Freeholders and Inhabitants of said Towns and precincts as part of the necessary and contingent Charge of the Counties respectively and when levied be paid to the Overseers of the Poor of the respective Towns and precincts by the County Treasurers to be applied for the Use of the Poor & Clerk pursuant to the Rules and Orders so made by the Majority of the Freeholders and Inhabitants thereof.

And BE IT FURTHER ENACTED by the Authority aforesaid that the Overseers of the poor of the respective Towns and Precincts in the Counties aforesaid shall at the next Court of General Sessions after the Determination of their respective Officers lay before the Justices of the said Court a particular, full, just and true Account of all the Moneys they have received and expended from whom and to whom and in what Manner and for what Uses and the Earnings of the poor persons by them employed and what may be due and from whom which said Accounts the Justices shall audit and if the Sums expended shall exceed the Sums received the Clerks of the respective Courts of Sessions shall certify the same in writing to the Supervisors of the respective Counties aforesaid or to any one of them, and the said Supervisors shall provide that the same be levied upon the Freeholders and Inhabitants of the respective Towns and precincts where such Deficiency shall be in the next Assessment as part of the Necessary and contingent Charges of the respective Counties aforesaid

## [CHAPTER 137]

[Chapter 1377 of Van Schaack, where the  
January 1, 1771. Revised by chapter 1498.]

'An Act to  
Hemp in the County

WHEREAS by the Act for allowing  
in this Colony all hemp is to be sent to  
order to its being inspected before the  
be entitled to receive the Bounty which  
venient for the County of Westchester.

BE IT ENACTED by his Excellency  
and the General Assembly and it is  
Authority of the same that James B.  
Inspector of Hemp in the County of W  
the same power and Authorities and be  
with Respect to giving Certificates and  
to the Office of Inspector of Hemp an  
Reward as the Inspectors mentioned in  
"An Act for raising three thousand po  
"be laid out in a Bounty on Hemp to  
passed the twentieth day of December  
dred and sixty three are vested with au  
son or persons who shall bring Hemp  
said shall take the oath required by th  
one of his Majesty's Justices of the pea  
and be entitled to the Bounty given by  
ner as if he had been sworn before any  
any thing in said Act to the contrary.

And be it Enacted by the same Auth  
be in Force till the first day of January  
dred and Seventy one.

Channel opposite to the County of West Chester, several of which are not included in any County in this Province.

And WHEREAS also that Part of Hudson's River which lies opposite to the said County of West Chester is not included in any County in this Province, in order to remedy which and to render the Administration of Justice more effectual.

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, That all the Islands lying and being in the Sound to the Eastward of Froganek, and to the Northward of the Main Channel, and as far Eastward as Captains Island including the same, together with all that part of the Sound included within these Boundaries, shall be and remain in the County of West Chester; And all the Southermost Part of the Sound from the Bounds aforesaid, as far as Queens County extends Eastward shall be and is hereby annexed to Queens County, And all that Part of Hudson's River which adjoins the County of West Chester, and is to the Southward of the County of Orange, or so much thereof as is included in this Province, and the Eastermost half part of the said River from the Southermost Bounds of the County of Orange to the Northermost Bounds of the said County of West Chester shall also be and remain in the said County of West Chester.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that the middle of the said River shall be and is hereby declared to be the Boundary-Line between the said Counties of Orange and West Chester, as far as they are opposite to each other and that the Westernmost half part of the said River from the Southermost Bounds of the County of Orange, to the Northermost Bounds of the said County of Orange shall be and hereby is declared to be included in and annexed to the said County of Orange together with all the Islands included within the said Bounds.

AND BE IT FURTHER ENACTED by the Authority aforesaid, that from and after the Publication of this Act all the Islands and premises hereby included in and annexed to the said County of West Chester shall be Taxed and Subject to all such Laws, Rules and Regulations with those Manors, Towns or Districts to which they are nearest in situation.



and Inhabitants living to the Eastward of the East Bound the Division last above-mentioned and within the Bounds of Manor aforesaid and not Otherwise.

AND BE IT FURTHER ENACTED by the Authority aforesaid that no person or persons whatsoever residing within said Manor of Cortlandt shall have a Voice in the electing choosing any of the Constables aforesaid, excepting only the one which shall from time to time be elected and chosen for the Division they shall respectively reside in.

BE IT ALSO ENACTED by the Authority aforesaid that it shall and may be Lawful for the Freeholders and Inhabitants of the respective Divisions of the Manor of Cortlandt aforesaid at their annual Meetings aforesaid to elect and choose as many Overseers of the Roads within the respective Divisions also mentioned as the Justices of the Peace and the Commissioners for laying out the Highways within the said Manor or a Major part of them shall direct, which said Overseers respectively are hereby required and ordered to warn and set to work the Inhabitants living within the respective Divisions for which they shall be respectively chosen, and so often as the said Inhabitants or any of them shall have Notice from any of the Overseers for the time being they shall in their Turn, either themselves or by able Slaves or Servants clear and amend the Highways not exceeding eight Days in the Year, under a Penalty of three Shillings for each Day each person shall neglect or refuse such Service, to be levied by the Constable in each Division by distress and sale of the Offenders Goods and Chattels by Warrant from the Overseers of the Highways for the time being in each respective Division where such Offence shall be Committed, returning the Overplus of such Sale (if any there be) to the Owner or Owners, the Constable being first paid for his Trouble and Charge, out of the Distress and Sale, as is usual in the like Cases.

AND BE IT FURTHER ENACTED by the same authority that in case the said Overseer of the Highways shall think fit to employ any Team with Cart or Plow, and a Man to manage the same, such Team with Cart or Plow and a Man to manage the same shall be esteemed to be for and in lieu of three Days work of a single Man, and the Fine to be proportionable, that is to say treble to the Fine to be imposed for the neglect of a single person, and every Man shall be obliged to bring such Materials

as Spades, Axes and Other Utensils as shall be directed by the said Overseers.

AND BE IT FURTHER ENACTED by the authority aforesaid that all Fines and Penalties to be recovered by Virtue of this Act from persons refusing or Neglecting to Work on the Highways shall be applied by the Overseer or Overseers of the Highways who shall receive the same, towards mending and repairing the said Roads, within the Division in which the same shall be recovered.

BE IT ALSO FURTHER ENACTED by the same Authority that the said Overseers of the Highways so to be chosen as abovesaid shall be liable and subject to the same Fines and Penalties for neglect or refusal of the Duty of their Office as any other of the Overseers of the Highways for the County of West Chester are liable or Subject to.

[CHAPTER 1379.]

[Chapter 1379 of Van Schaack, where the title only is printed.]

An Act to enable the Supervisors of Orange County to raise the Sum of four hundred and ninety five Pounds seventeen Shillings due from the said County on Account of the necessary and contingent Charges thereof.

[Passed, December 31, 1763.]

WHEREAS the Supervisors of Orange County through the neglect of several of the Assessors of the said County in preparing Lists of Taxes on the first Tuesday of June last to be levied in the said County did omit to raise the Sum of four hundred and ninety five Pounds seventeen Shillings due from the said County on account of the necessary and contingent charges thereof.

BE IT THEREFORE ENACTED by his Excellency the Governor, the Council and the General Assembly and it is hereby enacted by the Authority of the same that the Supervisors of the said County are hereby Authorized and required to meet and Assemble together on the second Wednesday in January which will be in the Year of our Lord one thousand seven hundred and sixty nine at Keklat in the County aforesaid.

AND BE IT FURTHER ENACTED by the same Authority that it shall and may be Lawful for the Supervisors aforesaid,

and they are hereby required and directed at their above meeting to cause the said Sum of four hundred and ninety Pounds seventeen Shillings due from the said County Account of the Contingent Charges thereof, to be raised Assessed agreeable to the Quotas laid upon the several parishes of the said County by the Supervisors in the Year one thousand seven hundred and sixty seven, and to be levied and Collected in the same manner and under the same restrictions and features as are contained in an Act intitled An Act for the equal Taxation of Estates in Orange County passed the twelfth Day of December, one thousand seven hundred and fifty, any Law Usage or Custom to the contrary in anywise notwithstanding.

[CHAPTER 1380.]

[Chapter 1330 of Van Schanck, where the title only is printed. Amended and extended to Ulster county by chapter 140L. Expired January 1. Re-enacted by chapter 1528.]

An Act to prevent the use of Spirituous Liquors at Vendues in the County of Orange.

(Passed, December 31. 1766.)

WHEREAS the long and frequent practice of providing great Quantities of Spirituous Liquor at Vendues in said County has been productive of many bad consequences by intoxicating Bidders; which tends much to the Distress of many poor Families for preventing of which evil practice for the future.

BE IT ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby enacted by the authority of the same, That any person or persons whatsoever who shall presume after the first Day of March next, to give or sell Spirituous Liquor at any Vendue within the said County, or shall procure the same to be done by any other person or persons whatsoever either at the House or place where such Vendue is held or at any other place within one Mile of such Vendue, under pretence whatsoever, contrary to the true intent and meaning of this Act, such person or persons shall respectively forfeit Fifty Pounds, to be recovered before any one of his Majesty's Justices of the Peace for the said County, together with costs of Suit who are hereby required to hear and determine the same on Oath of one or more credible Witnesses, the one half of said forfeiture for the use of him or them who will sue for the same.

the other half for the use of the door where such Forfeiture shall arise.

AND BE IT ENACTED by the authority aforesaid that this Act, and every Clause, matter and thing therein contained shall be in force from the first Day of March next, till the first Day of January, which will be in the Year of our Lord one thousand seven hundred and seventy two.

[CHAPTER 1381.]

[Chapter 1381 of Van Schaack, where the title only is printed.]

An Act to prevent Damages by Swine in the Township of Marble-Town in the County of Ulster and in the Precincts of Goshen and Cornwall in the County of Orange.

[Passed, December 31, 1762.]

WHEREAS several of the Inhabitants within the said Township of Marbletown in the County of Ulster and in the precincts of Goshen and Cornwall in the County of Orange aforesaid have been and still are Negligent and Remiss about their Swine in suffering them to run at large without proper care or restraint so that they often get into their Neighbours Cornfields, Orchards Gardens and other Inclosures, and there do much Damage to prevent which for the future.

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same that from and after the Publication of this Act, it shall and may be Lawful for the Freeholders of the said Township of Marbletown or the Major part of them, and for the Freeholders of the precincts of Goshen and Cornwall respectively, or the major part of them at their annual meetings for election of Town Officers to make such prudential Rules Orders and regulations either for restraining Swine from running at large, or for compelling the Owner or Owners of such Swine who shall hereafter commit Damages aforesaid to make satisfaction for such Damages to the person or persons who shall sustain the same or otherwise as by them shall be thought most convenient. All which Rules, orders and Regulations so to be made as aforesaid, the Clerks of the said Town and Precincts for the Time being, shall from Time to Time enter in the Town Books, and shall make out and deliver true Copies thereof Certified under their

Hands to the Clerks of the Peace of the County of Richmond, to be filed by them in their Offices.

AND BE IT ENACTED by the Authority of the said Assembly, that this Act shall continue and be in force until the first day of January next, one thousand seven hundred and seventy two.

[CHAPTER 138]

[Chapter 1382 of Van Schaack, where the Act was passed on the 17th of January 1, 1775. Repealed by chapter 774, of the Laws of the State of New York, passed in the year 1824.]

An Act to raise  
Damages done by  
Dogs in the County of  
Richmond.

[E]

WHEREAS many of the Inhabitants of the County of Richmond in the Colony of New York have been and are daily occasioned by Dogs killing their sheep and other Cattle, and are unable to obtain redress, which hath often times occasioned great Losses to the said Individuals, for remedy whereof.

BE IT ENACTED by his Excellency the Governor, and the General Assembly, and it is the Authority of the same, that it shall and lawfully may be the Duty of the Collector chosen in each respective Precinct of the said County once in every Year after the first day of January next during the continuance of this Act to receive of and from all persons who keep any Dog or Dogs of what size or kind soever, more than six months old and upwards the Sum of one Dollar for one Dog, and if there shall be more than one Dog, then the Sum of two Dollars for one person or Family, then the Sum of four Dollars for a second Dog, and the Sum of Six Shillings for the third Dog, and the number of two kept as aforesaid.

AND BE IT ENACTED by the Authority of the said Assembly, that if any person or persons having property in the County of Richmond, who keep any Dog or Dogs, of what size or kind soever as aforesaid, shall refuse to pay unto the Collector of the Precinct of the said County the Sum or Sums as aforesaid to be demanded, it shall and may be lawful for the Justices of the Peace of the respective precinct or Manor to commence their Action or Actions Against any delinquent, for the recovery of the same, with Costs of Suit, and the Fees of the Clerks of the Peace for the said County;



sons shall deny that he she or they have property in, or keep any Dog or Dogs, yet if it can be proved that such person or persons are in possession of or suffer the same to remain about his or her House, thirty Days before demand made by the Collector, he she or they shall be deemed to be the Owner or Owners of such Dog or Dogs, and liable to the payment of the aforesaid Tax to be recovered as above, and if any Dog or Dogs shall keep about any persons House twenty Days and no person appearing within that time to Claim such Dog or Dogs, it shall and may be lawful for such person having such Dog or Dogs about his House as aforesaid to kill the same at any time after the said twenty Days.

AND BE IT FURTHER ENACTED by the Authority aforesaid that when any person or persons within the said County shall have sustained Damages by Dogs of any kind or size as aforesaid killing his her or their Sheep it shall and may be lawful for him her or them to call in the persons who are or shall be appointed Fence Viewers in each respective Precinct of the said County for the time being who resides next adjacent to the person or persons where the Damage shall happen, who are hereby impowered to view the Sheep so killed or hurt, and if they shall appear upon positive or Circumstantial proof to their satisfaction that they were killed by Dogs only, then the said Fence Viewers shall certify the same with the true and real value of the sheep or damage sustained and the number killed or hurt, under their Hands, which Certificate shall be a sufficient Voucher to the Supervisors for paying the value of the sheep or Damages therein expressed.

AND BE IT FURTHER ENACTED by the authority aforesaid that whenever Sheep within the said County shall hereafter be killed or hurt by any Dog or Dogs, and it can be proved whose Dog or Dogs it was that did the Damage, if the Owner or possessor of such Dog or Dogs shall neglect or refuse to kill the same or make satisfaction to the person or persons injured after demand made it shall and may be lawful for the person or persons so injured to get the value of the Sheep, or the Damages certified by the aforesaid Fence Viewers and commence his her or their Action or Actions against the Owner or possessor of such Dog or Dogs before any one Justice of the Peace of said County, and recover the same with costs of suit.

AND BE IT FURTHER ENACTED that if any person or persons shall find any Dog or Dogs killing or worrying his, her or their Sheep it shall and may be lawful for them immediately to

Shoot or kill the same, and if it can be proved by any one or more credible Witness, that such Dog or Dogs was ever before him to have killed Sheep and the same came to the knowledge of the owner or possessor thereof, then and in such case it shall and may be lawful for the person or persons injured to get the value of the said Sheep or damages certified as above and commence or their Action for the recovery thereof as aforesaid.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Collector or Collectors of each respective precinct within the said County shall keep a Book, and therein enter the names of every person in his or their respective Precinct or Manor keeping Dogs, and the number with the Tax or Sums collected in virtue of this Act, and shall pay the same into the Hands of the County Treasurer to be disposed of by the Supervisors for the purposes above mentioned.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Collector or Collectors of each respective precinct or Manor within the said County shall retain and keep in his or their Hands, one Shilling in the Pound for all Sums by him or them collected and paid in pursuance of this Act.

AND BE IT FURTHER ENACTED by the authority aforesaid, that if either of the Collectors of any of the precincts or Manor within the said County shall refuse or Neglect to Collect the Taxes aforesaid, and do what is enjoined them by this Act, he or they so offending shall forfeit and pay the Sum of five Pounds to be recovered by Action of debt before any Justice of the Peace of the said County with Costs of Suit, by any person or persons who will prosecute the same to effect, one half to the prosecutor, and the other half to be applied to the uses aforesaid, this Act to be in full force from the first Day of January next until the first Day of January, one thousand seven hundred and seventy five.

AND BE IT ENACTED by the Authority aforesaid that the Act intitled "An Act to prevent the destruction of Sheep by Dogs" passed in the eighteenth year of the Reign of his late Majesty King George the second: as far as it relates to Richmond County during the Continuance of this Act, shall be repealed, and hereby made Null and void to all intents, constructions and purposes whatsoever.

## [CHAPTER 1383.]

[Chapter 1383 of Van Schaack, where the act is printed in full.]

An Act for the more effectual extinguishment of Fires near the Ferry in the Township of Breucklin in Kings County.

[Passed, December 31, 1763.]

WHEREAS the Inhabitants settled near the said Ferry have provided a Fire Engine, and it is expedient for extinguishing Fires in that Neighbourhood that proper persons be appointed for and encouraged in a Service so essential to the Preservation both of Life and property.

BE IT THEREFORE ENACTED by the Governor the Council and the General Assembly and it is hereby enacted by the Authority of the same that the Freeholders and Inhabitants residing along the Water side between the Houses possessed by Lodowyck Bamber and the Ferry House inclusive, and from the Water side with that Breadth on both sides of the High Road including the House of John Rapalje Esquire as far as to the House formerly belonging to James Harden may on the first Tuesday in April annually hereafter meet together at Breucklin where generally the Town Meetings are held, and by Majority of the Voices of such as are present choose six able and discreet Persons residing within the District aforesaid who shall have the Custody care and Management of the said Fire Engine at all times, and hold themselves in readiness for the proper use of the same in Case of any Accident by Fire within the same District, and be subject to such prudential Rules and Orders as the same Freeholders and Inhabitants may make for the better regulation of the said Firemen to be entered in a Book to be kept by the Clerk of the said County for the Time being.

AND BE IT FURTHER ENACTED by the same Authority that every such Person while Firemen shall be exempted from serving either as Constable, Jury-Man or Surveyor of the Highways or in the Militia of the said County unless in the Case of an Invasion.

AND WHEREAS the said Engine will want Repairs, and it may be necessary to provide other Instruments for the Extinguishment of Fires.

BE IT THEREFORE ALSO ENACTED by the Assessors of the Township being shall before the first Day of April next the said Freeholders and Inhabitants of the said District for their several proportions of the sum levied by the Collector of the said Township Carpenter one of the said Inhabitants the Majority of the said Freeholders direct, and that in the Course of every Day of April next the Sum of three Manner levied within the same District the said County for the Time being for Engine and Instruments in the Manner Majority of the Freeholders and Inhabitants Assessors and Collector for Neglect of them respectively by this Act shall be of five Pounds to be recovered before Justices of the Peace in the said Township one Third part whereof shall be to the the Pesidue, be applied as the Majority and Inhabitants of the said District if any person shall refuse to pay the sum Measures shall and may be pursued in Case of a Refusal to pay the proportion towards defraying the necessary and said County.

## [CHAPTER 133]

[Chapter 1334 of Van Schaack, where the

An Act to prevent  
fusion in the Township  
the County of Ulster

[E]

WHEREAS the said Township Patent under the Great Seal of the Province the twenty fifth Day of June in the second to Colonel Henry Beekman, Captain Thomas Charles Brodhead their Heirs Annual Quit-Rent to the Crown thereof for the several uses and purposes in mentioned as by the same Letters Patent in the Secretary's Office of this Colony

AND WHEREAS the said Trustees and Others acting as Trustees and their Successors by divers Instruments in writing signed by the Trustees for the time being and sealed with the Seal of Marble Town have from time to time conveyed divers parcels of Land within the said Township to sundry persons Inhabitants thereof in fee Simple reserving a small Quit-Rent payable to the Trustees of the said Township and other Privileges, advantages and Emoluments to the Freeholders and Inhabitants thereof, as by the same Instruments or the Records thereof, or the Books kept as the Records of the said Township may more fully appear.

AND WHEREAS Doubts may arise to the great Discouragement and Detriment of the said Township which is now become well Inhabited and a flourishing Township concerning the Validity of such Deeds.

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that all the said Instruments so Executed by the Trustees of the said Township for the Time being and entered in the said Books kept as the Records of the said Township shall be deemed to be as good and sufficient in the Law to convey the Lands thereby severally and respectively meant and mentioned to be Granted as if the same Colone<sup>l</sup>. Henry Beckman, Captain Thomas Garton and Charles Brodhead or any sett of Trustees acting as their Successors were the true and absolute Proprietors thereof, and had executed Deeds to convey the same in due form of Law, any Defects in the said Instruments, or in the Execution thereof or Want of Power, Right and Authority in the Grantors thereof to the contrary notwithstanding.

AND BE IT ALSO ENACTED by the same Authority that the Residue of the Lands and Estate by the said Letters Patent Granted and not conveyed away as aforesaid, and all the Rents, Reservations Rights, Benefits, Advantages and Privileges whatsoever mentioned or intended to be secured to the former Trustees or any of them by their several Instruments aforesaid shall be deemed and adjudged to belong to the said Trustees of Marble Town in the County of Ulster and their Successors and may be disposed of under their Common Seal in such manner and form as they and their successors may think proper, for the Benefit of the said Town and according to the said Let-



ters Patent, and the usage of the Corporation within the Colony, any Patent to the contrary notwithstanding.

AND BE IT FURTHER ENACTED that nothing herein contained shall any Right of his Majesty his Heirs or other Body Politick and Corporate before mentioned, nor shall this Act shall have received the Royal approbation.

[CHAPTER 11]

[Chapter 1335 of Van Schaack, where the

An Act for the  
Philip Smith, Adm.  
Jacob Flander, Jo.  
Leahhart Cratzer  
Hearing, Philip  
Johannes Horteg  
Tiegel, Christoffel  
Christoffel Sheer  
Wendell Jacob E.  
Klyn Junior, John  
Henry Redecker.  
Salsbergh.

WHEREAS the above named Persons Petitions presented to the General Assembly be Naturalized and become his Majesty's Subjects in this Colony.

BE IT THEREFORE ENACTED by the Governor, the Council and the General Assembly Enacted by the Authority of the Assembly that the above mentioned several persons, and each and every of them hereby are declared to be naturalized in this Colony and for all purposes whatsoever, and from and after the first of the next Times hereafter shall be entitled to the same Liberties, Privileges, and Advantages as the born Subjects in this Colony have and enjoy, as fully to all intents and purposes as if all and every of them had been born

**PROVIDED ALWAYS,** and it is hereby further Enacted by the Authority aforesaid, That each of the above mentioned Persons, shall take the Oaths appointed by Law, instead of the Oaths of Allegiance and Supremacy, subscribe the Test, and make, repeat, swear to, and subscribe the Abjuration Oath, in any of his Majesty's Courts of Record within this Colony, which Oaths the said Courts are hereby required upon application to them made, to Administer take subscriptions and cause the Names of the Persons so swearing and subscribing to be entered upon Record in the said Courts, and the said before mentioned persons are hereby each of them required to pay the several Sums hereafter mentioned, That is to say, to the speaker of the General Assembly the Sum of Ten Shillings, to the Judge of such Court the Sum of six Shillings, and to the Clerk of such Court the Sum of three shillings.

**AND BE IT FURTHER ENACTED** by the Authority aforesaid, That if the said persons, or any of them having so sworn and Subscribed as aforesaid shall demand a Certificate of his or their being entered upon Record in the Manner before directed; the Court or Courts in which such Oaths and Subscriptions shall be made, are hereby directed and required to Grant such, under the Hand of the Judge, and Seal of the said Court or Courts, in which such Oaths and subscriptions as aforesaid shall be made, countersigned by the Clerk of the said Courts, for which Certificate each of them shall pay over and above the Sums above mentioned the Sum of six Shillings, one half to the Judge of such Court or Courts, and the other half to the Clerk thereof; which Certificate or Certificates shall be at all times to the person or persons there in named a sufficient proof of his or their being Naturalized by virtue of this Act, in as full and effectual a Manner as if the Record aforesaid was actually produced by the person or persons so named in such Certificates.

**PROVIDED ALSO AND BE IT ENACTED** by the Authority aforesaid That such of the Persons hereby naturalized as shall not take the Oath Test and Abjuration in manner herein before directed within twelve Months next after the Publication hereof shall have no Manner of Benefit by this Act; any thing here in contained to the contrary notwithstanding.

**AND BE IT ENACTED** by the same Authority, that the Public Printer of this Colony shall and hereby is directed and required, to print this Act, as if the same were a public Act of this Colony.

THIRTY-FIRST ASSEMBLY.

*First Session.*

(Begun Apr. 4, 1769, 9 George III, Sir Henry Moore, Governor.)

[CHAPTER 1386.]

[Chapter 1386 of Van Schaack, where the title only is printed.]

An Act for making a further provision of eighteen hundred pounds for furnishing his Majesty's Troops quartered in this Colony with Necessaries.

[Passed, May 20, 1769]

BE IT ENACTED by his Excellency the Governor, the Council and the General Assembly; and it is hereby enacted by the Authority of the same, that the Treasurer of this Colony shall pay and he is hereby directed and required, out of the Money in his Hands by Virtue of an Act, entitled, "An Act for raising three thousand pounds by Way of Lottery to be laid out in a Bounty on Hemp to be raised in this Colony;" passed the twentieth of December one thousand seven hundred & Sixty three to pay such Sum or Sums of Money as shall from Time to Time be necessary for quartering his Majesty's Troops in this Colony, on Warrant or Warrants to be drawn for that purpose, by his Excellency the Governor or Commander in chief for the Time being, by and with the Advice & Consent of his Majesty's Council, provided the whole Sum so to be drawn for does not exceed the Sum of eighteen hundred pounds any Thing in the aforesaid Act to the contrary notwithstanding.

AND BE IT ENACTED by the Authority aforesaid that the Treasurer shall keep exact Books of his payments by Virtue of this Act, and a true and just Account thereof shall render on Oath to the Governor or Commander in chief for the Time being the Council or the General Assembly when by them or any of them thereunto required.

And be it enacted by the Authority aforesaid that the Money appropriated by Virtue of this Act and borrowed from the Funds aforesaid shall be replaced by Act or Acts to be here after passed for that purpose

## [CHAPTER 1387.]

[Chapter 1387 of Van Schnack, where the title only is printed. Repealed by the King December 9, 1750. The act which was hereby suspended was chapter 656.]

An Act to Impower Justices of the Peace, Mayors, Recorders and Aldermen to try Causes to the value of Ten Pounds and under and for suspending an Act therein mentioned.

[Passed, May 20, 1769.]

WHEREAS it has been found by experience that the Act Impowering Justices of the Peace, Mayors, Recorders and Aldermen to try causes to the value of five Pounds and under has been greatly advantageous to the Inhabitants of this Colony, being enabled thereby speedily and at small Expence to come at Justice, and it being apparent that the Inhabitants will be still more benefited by extending the Authority of the Justices Mayors, Recorders and Aldermen to the tryal of Causes to the value of Ten Pounds and under for which the Inhabitants are very Sollicitous.

BE IT THEREFORE ENACTED by his Excellency the Governor Council and General Assembly, and it is hereby enacted by the Authority of the same that all Actions Cases and Causes of Debt, Trespass, Trespass upon the Case and Replevin wherein the Sum or thing demanded for cause of Action shall not exceed the sum of ten Pounds (except such Actions as are hereby excepted) shall after the first Day of January next be and hereby are made Cognizable before any one Justice of the Peace of any of the Counties or the Mayor Recorder or Aldermen of the Cities of New York and Albany and Borough of Westchester respectively within this Colony, and the said Justices, Mayors, Recorders or Aldermen are hereby respectively impowered and required upon application to either of them made for the recovery of any such Debt or Demand to issue a Summons or Warrant as the case may require directed to the Constable or other proper Officers or any of them of the City, Borough Town, Manor, Precinct or District living nearest where the Defendant dwells or can be found commanding him to bring or cause such Defendant to come and appear before him at the Time and in manner following that is to say; In case where such Process shall be in the nature of a Capias, forthwith after the service thereof; but where the Sum-

mons shall be issued, then on some certain Day there in expressed not less than six nor exceeding twelve Days from service of such Summons and at the Time appointed for hearing such Cause, or on such other Day as such Justice Mayor Recorder or Aldermen shall think reasonable to appoint exceeding six Days, the said Justice Mayor Recorder or Aldermen shall proceed to hear and examine the allegations and Evidence of the Plaintiff and Defendant, and within twelve Days thereafter give his Judgment thereon in such manner as shall appear to be agreeable to Equity and Justice, together with such Costs as herein after allowed.

AND BE IT ENACTED by the Authority aforesaid that process against all Freeholders and Inhabitants having Fines shall be by Summons only, except as is hereafter excepted and shall be signed by the Justice, Mayor, Recorder or Aldermen granting it, and served on the person of the Defendant, or a copy thereof left at his or her House or place of abode in the presence of some of the Family of suitable Age and discretion (who shall be informed of the Contents thereof) at least six Days before the Time of hearing, and in Case the Defendant doth not appear at the Time and place that shall be appointed in such Summons, on Oath or affirmation made by the Constable or other Officer that the said Summons was duly served upon the Person of the Defendant in manner aforesaid and no sufficient reason appearing to the said Justice, Mayor, Recorder or Aldermen why the Defendant did not appear on the said Day appointed in the Summons, then the said Justice, Mayor, Recorder or Aldermen shall proceed to hear try and determine the Cause, and issue Judgment thereon in the same manner as if such Defendant actually appeared, But in case a Copy thereof was left at his or her House or place of abode in manner aforesaid and the Defendant doth not appear at the Time and place appointed in the Summons, then on Oath or affirmation made by the Constable or other Officer that the said Summons was duly served in the manner last aforesaid and no sufficient reason appearing to the said Justice Mayor Recorder or Aldermen why the Defendant did not appear on the said Day appointed in the said Summons the said Justice Mayor, Recorder or Aldermen shall issue his Warrant to proceed in the same manner as is above directed.

PROVIDED ALWAYS, and be it Enacted by the authority aforesaid that if any such Plaintiff so applying shall upon o



or Affirmation declare that he or she does really and sincerely believe that if such process be only by Summons against such Freeholder or Inhabitant having a Family he or she will be in danger of losing the Debt or Demand thereby; or doth really and sincerely believe that such Freeholder or Inhabitant will depart the City County Borough or otherwise abscond before such Time then the said Justice Mayor Recorder or Aldermen shall issue his Warrant in such manner as if the Defendant had not been a Freeholder or Inhabitant having a Family, and if any Defendant shall require a longer Time than is first appointed by the said Justice, Mayor, Recorder or Aldermen, and will if required give sufficient security to appear and stand Tryal on such other Day as shall be appointed, then the said Justice, Mayor Recorder or Aldermen is hereby required and impowered to adjourn the Tryal of such Cause to any Day he shall think most convenient not exceeding twelve Days nor less than three from that Time unless the Justice, Mayor, Recorder or Aldermen and Parties shall otherwise agree: PROVIDED ALSO that where the Plaintiff in any Cause or Action to be brought by Virtue of this Act, shall be a non resident of the County, City or Borough, and shall give security to pay all Damages and Costs of Suit in Case Judgment shall be given against him, that then he may have a Capias returnable immediately, and the Justice Mayor, Recorder or Aldermen, before whom such cause is to be tryed shall not adjourn the same for more than three Days unless the Parties agree to allow a longer Time.

AND BE IT ENACTED by the Authority aforesaid that in every Action that shall hereafter be brought in this Colony by Virtue of this Act it shall and may be Lawful for either of the Parties to the Suit to demand of the said Justice, Mayor, Recorder or Aldermen, that such Action be tryed by a Jury, and upon such Demand the said Justice Mayor, Recorder or Aldermen is hereby required to issue a Warrant to the Constable or other Officer of the City, Borough Town Manor Precinct or District where the same may happen commanding him to return at such certain Time and Place as shall be expressed in the Warrant on the same Day in which such Cause is to be tryed a List or pannel of the Names of not more than eighteen, nor less than twelve good and Lawful Men of the City Borough or County respectively being Freeholders or Freemen unless the Parties in such Suit agree to a lesser Number, and unless they farther consent that such returning

Officer shall summon a Jury at his discharge and every person who shall be returned aforesaid shall be written in several Papers being all as near as may be of equal Value to be delivered unto the Justice, Mayor or proper Officer returning such Pannel, each theirs respectively, and shall by them be drawn may be in one and the same manner, and shall be by him or them provided for that purpose. And if the Tryal be adjourned such Justice Mayor or proper Officer shall call such indifferent person as he shall appoint upon such said Papers one after another until he shall have drawn and write the Names of said Persons in the same order in which they shall be drawn. And the first six of the said Persons on the said Pannel shall be the Jury appointed to try the Cause. And if any be challenged, then such further Number shall be drawn in order as they stand upon the said Pannel until such Number as shall make up the Number Six after the said Number Six be allowed as fair and indifferent by such Justice, Mayor or Aldermen as aforesaid, whereupon the Recorder or Aldermen shall issue his Precept to the Constable or other returning Officer, who shall come before him at such Time and place as shall be therein expressed such precept, and in Case any of them shall be challenged found then to summon such other persons until such full Number or Names are inserted on such Pannel as shall make up the full Number of Six shall appear, to the satisfaction of the Justice, Mayor, Recorder or Aldermen at the following Form.

You shall well and truly try this matter between A. B. Plaintiff and C. D. Defendant, according to Evidence, so help you God.

And after the six persons have taken the Oath they shall sit together and hear the several Pleas of the Parties the Parties which shall be delivered after which they shall be kept together until they all agree upon a Verdict which

said Justice, Mayor, Recorder or Aldermen who is hereby required to give Judgment agreeable to such Verdict and to award Execution in the Manner herein after directed: the Costs of the Jury to be paid with the other Costs, by the party against whom their Verdict shall be found. PROVIDED ALWAYS that no Oath or Affirmation of the Parties, or Ex parte Affidavit of any other Person shall be allowed or given in Evidence in any Suit to be brought by Virtue of this Act, unless the Parties agree to admit of such Evidence.

AND BE IT FURTHER ENACTED that every person or persons whose Name or Names shall be so drawn and summoned as aforesaid, and who shall not appear, or appearing shall refuse to serve, after being called three Times, upon Oath made by some credible Person, that such person so making Default, had been Lawfully Summoned as aforesaid shall forfeit and pay for every such Default (unless some reasonable cause of his absence shall be proved by Oath affidavit or Affirmation to the satisfaction of the Justice Mayor Recorder or Aldermen who shall sit to try the Cause) such Fine or Fines not exceeding the Sum of twenty Shillings nor less than five shillings, as the said Justice Mayor Recorder or Aldermen shall think reasonable to indict or assess and to issue his Warrant to levy the same.

AND BE IT ENACTED by the authority aforesaid that if the Plaintiff in any such Suit or action shall be nonsuited, or discontinued or withdraw his Suit without the Leave of the Defendant, then Judgement shall be given against him for the Costs accrued: or if he shall appear to be indebted to the Defendant, then Judgement shall be given against him for the Debt or Demand and Costs as the Case may require, and whenever Judgement shall be given against either Plaintiff or Defendant: in any of the before mentioned Cases, the Justice, Mayor, Recorder, or Aldermen that pronounced the said Judgement shall grant Execution thereupon directed to one of the Constables or other proper Officer of the said City Borough Town, Manor, Precinct or District commanding him to Levy the Debt or Demand and Costs on the Goods and Chattels of the Person against whom such Execution shall be granted and for want of sufficient Effects whereon to levy the Execution to take the Body of the Person against whom such Execution shall be granted, and him or her convey and deliver to the keeper of the common Goal of the City Borough or County; which said Constable or other proper Officer

after his taking such Goods and Chattels into his Custody by virtue of such Execution) shall give Public notice by an advertisement put up at the most Public Place of the City Borough Town Manor Precinct or District where such Goods shall be taken, of the sorts of the Goods, and the Time and Place where and when they shall be exposed to sale at least five Days before the Time appointed for selling them, and at the Time and Place so appointed for selling them, shall expose them to sale by Public Vendue to the highest Bidder and pay the Money according as shall be directed in the Warrant or Writ of Execution, and return the overplus if any be to the Owner. And for want of sufficient Goods and Chattels whercon to Levy the Execution the Constable or other proper Officer to whom any such Execution shall be directed shall according to the Tenor of the said Execution take the Body of the Person against whom any such Execution shall be granted, and convey and deliver him or her to the keeper of the common Goal of that City Borough or County; which said Goal keeper is hereby commanded to keep such Prisoner in his safe Custody in the common Goal until the Debt or Demand with the Costs shall be fully paid, or until he or she shall be from thence delivered by due Course of Law.

PROVIDED NEVERTHELESS that no Execution of any Judgement given by virtue of this Act, shall issue against any Freeholder or Inhabitant having a Family in less than two or delayed longer than three Months after giving the said Judgement unless the party in whose favour Judgement shall be given shall make it appear to the said Justice Mayor, Recorder or Aldermen on Oath or Affirmation, that he or she is in danger of losing the Debt or Demand if such Delay be allowed: In which Case the Justice Mayor, Recorder and Aldermen shall issue his Warrant of Execution immediately as herein before directed, unless the party against whom such Judgement shall be given shall there upon give Security to the Party in whose favour Judgement went, to pay the full of the Debt or Demand and Costs, at or before the expiration of one Month.

AND BE IT ENACTED by the Authority aforesaid that if any Person or Persons whatsoever shall commence Sue or prosecute any Suit or Suits for any Debt or Demand made cognizable as aforesaid in any other manner than is directed by this Act, and shall Obtain a Verdict or Judgment there on for Debt or Damages which without Costs of Suit shall not amount to more than

ten Pounds (not having caused an Oath or Affirmation to be made before the Obtaining a Writ, and filed the same in the Clerks Office, that he she or they so making Oath or Affirmation did truly believe the Debt due or Damages sustained exceeded the Sum of ten Pounds) he she or they so prosecuting shall not recover nor have any Costs in such Suit; any Law usage or Custom to the contrary in any wise notwithstanding.

PROVIDED ALWAYS that neither this Act nor any thing herein contained shall be deemed construed or understood to extend to such Actions wherein his Majesty his Heirs or Successors may be concerned or where the Title of Lands shall any wise come in Question, or any Action or Actions of Defamation or Slander.

PROVIDED ALSO that nothing in this Act shall extend to matters of Account, where the Sum total of such Account shall exceed in the amount or value thereof the Sum of thirty Pounds and that no Justice of the Peace being a Tavern keeper shall try any Cause by virtue of this Act at his own House, any thing herein to the contrary notwithstanding.

AND BE IT FURTHER ENACTED that when in any Action of Trespass to be brought by Virtue of this Act the Defendant shall justify upon Plea of Title, that he shall then enter into a Recognizance to make good his Title in manner as is directed in and by an Act of this Colony for preventing of Trespass passed in the eleventh Year of the Reign of his late Majesty King William the third, otherwise the Justice, Mayor, Recorder or Aldermen shall proceed to hear try and determine the cause as if no such Plea had been made.

AND BE IT FURTHER ENACTED by the Authority aforesaid that all and every the Sum and Sums of Money under the value of ten Pounds to be sued for and recovered in any Court of Record by Virtue of any Law of this Colony shall and hereby are made cognizable before any one Justice Mayor Recorder or Aldermen in manner as aforesaid any thing in the said Acts mentioned to the contrary in any wise notwithstanding. AND ALSO that where in any Precinct District or other exempt Jurisdiction no such Constable or other proper Officer shall be chosen and appointed, that then and in such Case the Justice, Mayor, Recorder or Aldermen (upon application made to them) or any of them for any precept to be served therein are hereby Authorized and impowered to depute and order the next Constable to



the Defendant of such District precinct who is hereby required to execute the person shall voluntarily consent to be

AND BE IT ENACTED by the Assembly that no greater or other Fees shall be allowed than are brought in the manner by this Act directed and appointed to be taken Vizt: JUSTICE of the Peace, A Warrant one Shilling, A Judgment for every Oath or Affirmation six Pence, A Shilling and six pence. A Summons Issuing the Venire Facias to summoning the Jury one shilling and six Pence, on Summons or otherwise two Shillings per diem for a longer or shorter Time than proper Officer for serving every Way Bill for every Miles travel or under one Shilling; for Serving every Execution for every Pouch for every Jury three Shillings. JURORS one Shilling per Man, when summoned and one Pence per Man. PROVIDED that the Fees directed or allowed in any one Cause or Action shall not exceed a Sum of forty Shillings, and PROVIDED that the same shall extend to oblige any Member of the Assembly or any Justice of the peace who shall be present at the Assembly to take Cognizance of any Cause as are by this Act provided for, but they shall not at all Times to act therein or not as they shall think any thing herein contained to the contrary.

AND BE IT ENACTED by the Assembly that the Act certain Act intituled, "An Act for establishing Courts to determine Causes of forty Shillings in the Colony," passed in the eleventh Year of the said King shall be immediately after the commencement of the next Session of the Assembly and every Clause Article Matter contained hereby made null and void from and after this Act.

AND BE IT FURTHER ENACTED by the Assembly that on the first Day of January next no Writ of Habeas Corpus shall be issued out of the Supreme Court in any Suit wherein a final Judgment shall have been given by the Mayor, Recorder or Aldermen, in and before them or any of them, unless one

shall within one Month after such final Judgment shall be given, make affidavit before one of the Judges of the Supreme Court or one of the Judges of the Inferior Court of Common Pleas of the County where such Judgment shall be given, and in case such Affidavit shall be made before one of the Judges of the County such Affidavit shall be transmitted to one of the Judges of the Supreme Court, satisfying such Judge, that there is reasonable Cause for granting a Writ of Certiorari or Writ of Error to remove such Judgment either for Error therein, or some unfair practice in the Justice, Mayor, Recorder or Aldermen who shall have tryed the same which shall be particularly specified therein and the Judge before whom such Affidavit shall be made shall keep a true Copy thereof to be delivered to the adverse party when he shall be thereunto required.

AND BE IT FURTHER ENACTED that in Case any person being a party in such Suit shall procure any Writ of Certiorari or Writ of Error otherwise than is herein above directed, shall forfeit the sum of ten Pounds to be recovered with Costs of Suit before any one Justice of the Peace Mayor Recorder or Aldermen within this Colony by the adverse party, Plaintiff or Defendant in such original Suit for his own use, and if such Judgment shall be confirmed then the party procuring such Writ of Certiorari or Writ of Error shall pay all Costs of defending such Suit in the Court above to be Taxed by one of the Judges of the said Court, and if the Judgment shall be reversed, the Person in whose favour such Judgment shall be reversed shall in like manner have his Costs to be taxed as aforesaid, and recovered by Certificate from such Judge before any one Justice of the Peace, Mayor, Recorder or Aldermen in the County or City in which such Cause shall have been tryed.

AND IT IS FURTHER ENACTED by the same Authority that if it shall appear that any Justice Mayor, Recorder or Aldermen having tryed a Cause and given Judgment thereon and that he has Wilfully been guilty of unjust practices that in such case the Justices of the Supreme Court shall direct the Attorney General to prosecute such Justice Mayor, Recorder or Aldermen so offending by information on behalf of the Crown, according to the ordinary course of Law.

AND BE IT FURTHER ENACTED by the Authority aforesaid that this Act be of force from the first Day of January next until the first Day of January which will be in the year of our Lord one thousand seven hundred and seventy five.

## [CHAPTER 13]

[Chapter 1883 of Van Schanck, where the  
by the King December 9, 1770.]

An Act for  
brought in the Sup  
for any Sums not

WHEREAS there now are and long  
of Record in the Cities of New York  
of the respective Counties in this Co  
occasion to Sue for Debts and Wrongs  
receive Justice according to the Met  
WHEREAS the Prosecution of Suits  
this Colony is necessarily attended  
Trouble.

BE IT THEREFORE ENACTED  
Governor the Council and the General  
enacted by the Authority of the Sam  
publication of this Act no Person w  
self, or by his or her Council or Att  
Suit or Action by Bill or Plaint or b  
soever in the Supreme Court of th  
Specialty or for any other matter c  
where the Sum mentioned in the Co  
specialty with the Interest thereof,  
demand, Suit or Controversy, shall n  
Pounds Current Money of this Colony

AND BE IT FURTHER ENACTED  
said that no Suit or Action now dep  
commenced in either of the Courts of  
Aldermen of the Cities of New York  
of the Inferior Courts of Common Pl  
ties of this Colony upon any Bond or  
Matter, Cause or Thing whatsoever  
in the Condition of such Bond or  
thereof or the Matter or Thing in De  
shall not exceed the Sum of Fifty  
New York shall be stayed nor remove  
of this Colony by any Writ of Hab

other Writ whatsoever other than Writs of Error or Attaint. And if any Writ or Writs whatsoever shall be granted or sued out for the removal of any Cause out of any of the said Inferior Courts into the said Supreme Court contrary to the Intent and meaning of this Act, then it shall and may be Lawful to and for the Judge or Judges and Officer or Officers to whom such Writ or Writs shall be directed or delivered to disallow and refuse the same, and they are hereby directed and required to proceed as if no such Writ or Writs had been granted or sued out any Law Custom or usage to the contrary notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid That if in any Action or Suit hereafter to be commenced and prosecuted in the said Supreme Court, the Plaintiff shall not recover above Fifty Pounds Current Money of this Colony then and in every such Case the Plaintiff shall not be entitled to any Costs of Suit, but shall pay Costs to the Defendant thereupon to be Taxed, unless the Plaintiff or Plaintiffs shall take an Oath before one of the Judges of the Supreme Court of this Colony or before one of the Judges of the Inferior Court of Common Pleas of any of the Counties in this Colony, before the Writ shall Issue, that he or she verily believes that the Debt justly due to him from the Defendant or Defendants does really exceed the Sum of Fifty Pounds, a Copy of which Oath shall be indorsed on the Back of the Writ

AND BE IT FURTHER ENACTED by the Authority aforesaid That all Suits or Actions which shall be hereafter brought or commenced in any of the Inferior Courts aforesaid for any Sum not exceeding Fifty Pounds Current Money of New York shall be heard tried and determined therein although the real Cause of Action did not arise in the City or County where such Suit or Action shall be brought or commenced, and that the said Court or Courts shall not admit or allow of any foreign Plea to Quash or Bar such Suit or Action but proceed to hear try and determine the same in such manner as if the cause or action had arisen within the Jurisdiction of the Court or Courts where such Suits or Action shall be so brought or Commenced any Law usage or Custom to the contrary notwithstanding. PROVIDED ALWAYS, AND BE IT FURTHER ENACTED by the Authority aforesaid that this Act shall not extend to any Actions or Suits where any person shall Sue as well for the King's Majesty as for himself nor to any other Actions to be commenced in his

Majesty's Name and behalf, nor to be commenced or to be commenced for or to any Action or Suit already commenced in said supreme Court nor to any Actions in Lands or Tenements shall or may be contracted Debt or Debts already contracted in the City or County of New York nor actually dwelling and residing in the City or County of New York unless such Debt or Debts shall be contracted after the publication of this Act. Nothing in this Act shall be construed to prevent any Person or Persons from prosecuting any Action or Actions for the said City and County, but that that no Person shall be liable to be Sued for such Debt or Debts in the Supreme Court nor to prevent their being Sued in any Court for any Debt or Debts above the value of one hundred Dollars in any Action of Assault and Battery nor anything herein contained to the contrary.

AND BE IT FURTHER ENACTED by the said that this Act shall be and remain in full Force and Effect from the first Day of January which will be the first Day of the Year one thousand seven hundred and seventy-two.

#### [CHAPTER 1389]

[Chapter 1389 of Van Solaack, where the Act was passed by chapter 1479. Expired January 1, 1772.]

#### An Act the better to regulate the Trade and Commerce of Pot and Pearl Ashes

WHEREAS Pot and Pearl Ashes are of great Use and Considerable export, and may now be exported from this Colony tending greatly to the Benefit and Improvement, as well as the Increase of the Manufactures of Great Britain—And as it is evidently for the Interest of every Colony to maintain the reputation and Credit of it's Trade on the most respectable footing, and as it is necessary to be arisen both to the Venders and Buyers of the same for want of a proper person duly Authorized to examine and inspect the same.



BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby Enacted by the Authority of the same That no Person or Persons whatsoever shall ship any Pot or Pearl Ashes for exportation before he shall first Submit the same to the view and examination of the Officer herein after named, who shall try the same by starting it out of the Casks and then carefully examine inspect and sort the same in three different sorts if necessary. That he shall put each sort by itself into tight Casks well hooped and Coopered (at the expence of the Vender of the said Pot and Pearl Ashes) which he shall distinguish by the words first sort Second sort and third sort branded in plain legible letters together with the initial Letter of his Christian Name and his Surname and the Words New York at full length on each of the Casks; for which trouble the said Officer shall have and receive six pence for every Hundred weight one half to be paid by the Purchaser and the other half by the vender.

AND BE IT ENACTED by the Authority aforesaid. That the said Officer at the time of starting the said Pot or Pearl Ashes out of the Cask or Casks to inspect the same shall weigh the said Cask or Casks and mark the just and true Weight with a marking Iron on each Head thereof PROVIDED ALWAYS and be it enacted by the Authority aforesaid that if any dispute should happen to arise between the said Officer and Possessor of such Pot or Pearl Ashes concerning the Quality thereof upon Application to one of the Magistrates of the City of New York he shall and hereby is required to issue his warrant to three indifferent judicious persons of skill and Integrity to view and search the said Pot or pearl Ashes one of them to be named by the Possessor of such Pot or Pearl Ashes the second to be Named by the Officer and the third Person to be named by the said Magistrate, which three persons shall be duly sworn carefully to examine the said Pot or Pearl Ashes and make Report forthwith according as they find the same and the said Magistrate is hereby impowered and required to give Judgment agreeable to the report of the Persons so Named or to the report of any two of them. And in Case the said Pot or Pearl Ashes are judged to be of the Quality or Qualities as distinguished by the said Officer the said Magistrate is hereby Authorized to direct the said Pot or Pearl Ashes to be branded by the said Officer agreeable to such distinction, and shall also Award and

Order the owner or Possessor of said Pot or Pearl Ashes to the said Officer Six pence for each hundred weight for all Pot or Pearl Ashes as shall be so judged as aforesaid reasonable Costs and Charges, but in Case the said Pot or Ashes upon Trial shall be found to differ in Quality from said Inspectors judgment thereon, the Charges of prosecution shall be paid by the Officer or purchaser at whose request Trial was made.

AND BE IT ENACTED by the Authority aforesaid that the said Officer shall have full power and Authority by virtue of this Act and without any further or other warrant to enter on board any Ship Sloop or Vessel whatsoever lying or being in the Harboure of said City to Search for and make discovery of any Pot or Pearl Ashes shipped or shipping on Board any such Vessel for Exportation out of this Colony and if said Officer shall on such Search discover any Cask or Casks of Pot or Pearl Ashes not branded as before directed, the person or persons so shipping the same shall forfeit all and every such Cask or Casks of Pot or Pearl Ashes so Shipped or Shipping and not branded in the manner before directed and the Master or Commander of any such Vessel who shall receive any such Cask or Casks of Pot or Pearl Ashes not branded as aforesaid shall forfeit and pay for each Cask so received on Board his Vessel the Sum of Five Pounds and any Master of such Vessel or any of his Servants or Crew shall Obstruct or hinder the said Officer in making such Search as aforesaid every person so Offending shall forfeit the Sum of Ten Pounds.

AND BE IT ENACTED by the Authority aforesaid That John Sears shall be and hereby is Appointed the Officer for viewing and Examining all Pot and Pearl Ashes that is intended to be Shipped for exportation directly from the Port of New York and if the Officer hereby Appointed shall by any Accident be rendered incapable or neglect to execute the said Office or shall behave himself therein or shall happen to die then and so often and from Time to Time in such Cases it shall and may be Lawful to and for the Mayor and Aldermen of the City of New York to and for the Major part of them to supply his place by some other and Capable person who shall thereupon be the Officer for putting this Act in execution until another be appointed by the City or Acts hereafter to be Passed for that purpose which Officer so Appointed shall have the same Powers and be liable to

same Penalties as the Officer particularly Appointed by this Act, any Law usage or Custom to the Contrary Notwithstanding; But before the said Officer hereby or hereafter to be appointed shall do any thing in execution of the said Office he shall take an Oath before any Magistrate of the City of New York in the words following. VIZT, I A B do Swear that I will faithfully truly and impartially according to the best of my Judgement Skill and Understanding execute do and perform the Office and duty of an Inspector and examiner of Pot and Pearl Ashes According to the true Intent and meaning of an Act entitled An Act the better to Ascertain the Quality of Pot and Pearl Ashes, & I will not directly or indirectly by myself, or by any person for me, buy or Sell any Pot or pearl ashes (during the time that I continue inspector of the same) for my own acct. or upon the account of any other person or persons whatsoever.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if the aforesaid Officer not then employed in the Examination of Pot and Pearl Ashes according to the powers and Authorities given by this Act shall on Application to him made for the examination of any Pot or Pearl Ashes as aforesaid refuse Neglect or delay to proceed to such Examination for the Space of three Hours after such Application so made the said Officer so Refusing neglecting or delaying to make such examination shall for each Offence forfeit the sum of Twenty shillings to the use of the Person or Persons so delayed.

AND BE IT ENACTED by the Authority aforesaid that if any Person or Persons shall Counterfeit any of the aforesaid Brand Marks, or Impress or brand the same on any Cask of Pot or Pearl Ashes he she or they being thereof legally Convicted shall forfeit and Pay the Sum of Fifty Pounds.

AND BE IT ENACTED by the authority aforesaid That if any person or Persons shall empty any Cask of Pot or Pearl Ashes branded as aforesaid in order to put in other Pot or Pearl Ashes for sale or exportation without first cutting out the said Brand marks the said Person or Persons so Offending shall respectively forfeit the sum of Fifty Pounds

AND BE IT ENACTED by the Authority aforesaid that all the Fines and Forfeitures mentioned in this Act shall be recoverable in the same manner as other debts of the same Value are recovered by the Laws of this Colony by Suit Bill plaint or Information wherein no essoin protection or wager of Law or any more

than one Imparlance shall be allowed. Fines and Forfeitures (except such ways applied) when recovered shall be in the Hands of the Treasurer of this Colony for the Government thereof, and the other person who shall sue for the same.

AND BE IT ENACTED by the Authority of this Assembly that this Act shall commence from the Passing thereof until the first day of January which shall be the first Year of Lord One Thousand Seven Hundred and Eighty.

#### [CHAPTER 1390]

[Chapter 1390 of Van Schaack, where chapter 74. Repealed by the king the 11th of June 1790.]

An Act to extend the time for the election of Representatives in the General Assembly made and passed the 11th day of March 1789 and six hundred and eighty.

WHEREAS in and by Part of the said Act intituled, "An Act for regulating the election of Representatives in the General Assembly," it is enacted, That the Representatives to be elected in the General Assemblies thereafter to be held in the Colonies of this People dwelling and Resident within the Cities, Counties and Manors and Manors. AND WHEREAS doubtless persons having Freeholds of Sufficient Value in the Cities, Counties or Manors and not acting as such within the same, but being in all other respects qualified according to the Laws of this Colony as to the Choice of Representatives to serve in the General Assembly, preventing of which for the future.

BE IT ENACTED by his Excellency the Governor and the Council and General Assembly, and it is hereby enacted, That all Persons who shall hold Estates in Lands and Tenements within the Colonies of this Colony (as aforesaid) lying and being within

Towns Boroughs or Manors within this Colony, and not actually dwelling and residing within the same but being in all other respects qualified according to the Laws of this Colony to vote for the Choice of Representatives to serve in General Assembly, shall be and are hereby declared to be duly qualified to Vote for the Choice of any Representative or Representatives hereafter to be chosen to serve in General Assembly for any of the Cities, Counties, Towns, Boroughs or Manors within this Colony (although such person or persons shall not at the Time of any such Election or Elections actually dwell and reside in any such City County Town Borough or Manor aforesaid) any Law Usage or Custom to the contrary thereof in any wise notwithstanding.

AND WHEREAS it is highly necessary that the Representatives Chosen to serve in General Assembly should not only have improved Landed Estates amongst their Constituents but ought also to be Inhabitants and actual residents amongst them to the end that they might be perfectly acquainted with the true State and Circumstances of the People they are to represent, to prevent therefore the many Inconveniences that may arise by choosing Non Residents to serve in General Assembly.

BE IT FURTHER ENACTED by the Authority aforesaid that no Person shall hereafter be capable of being elected a Representative to serve for any City, County, Town Borough or Manor in this or any future Assembly, unless his usual Place of abode shall be in such place for which he shall be so elected, and hath been so for six Months at least before the Test of the Writ of Summons, and unless he shall have possessed a sufficient Freehold Six Months before the Test of the Writ of Summons, free from all Incumbrances whatsoever, situate and being in the City County Town Borough or Manor for which he shall be so elected.

AND BE IT FURTHER ENACTED by the authority aforesaid that no Freemen who have not actually resided in the Cities of New York and Albany three months next preceeding the Test of the Writ of Summons shall have a Vote for Representatives to serve in General Assembly for the said Cities and Counties.

AND BE IT ENACTED by the Authority aforesaid that no Person or Persons holding Lands, Tenements or Hereditaments in Trust for any Body Politick or Corporate, or for any Religious or Pious uses or purposes shall in Virtue of such Trust be qualified to Vote for Members of the General Assembly at any future Election.



AND BE IT ENACTED by the Authority aforesaid that Persons who hold Estates by Descent or Devise shall be ent to vote for Members to serve in General Assembly, although have not possessed the same three Months before the Test e Writ of Summons. AND every Elector before he is admit Poll at any future Election shall if required by the Candidat any of them first take the Oath herein after mentioned, & Oath the sheriff or his Deputy or Other Returning Officer, o Sworn Clerk by him or them appointed for taking the Poll hereby Authorised to Administer Vixt "You shall Swear "you are a Freeholder for the County of                      and "improved Land and Tenements to the value of forty Po "lying at                      within the said County of "you do not hold the same in Trust for any Body Politic "Corporate or for any Pious or Religious uses whatsoever, "you have possessed the same for three Months before the "of the Writ (except he has his Freehold by Descent or De "that you have not been before Polled at this Election, nor "you procured this Freehold to gain your Voice particularly "this Election, so help you God."

AND BE IT ENACTED by the Authority aforesaid that Act and every matter and Thing therein contained shall b full force and effect from and after the first Day of Decem next until the first Day of December which will be in the of our Lord one thousand seven hundred & eighty three.

#### [CHAPTER 1391.]

[Chapter 1391 of Van Schanck, where the act is printed in full chapter 899.]

An Act to amend an Act intituled "An  
"to prevent the Exportation of unmerch  
"able Flour; and the false taring of B  
"and Flour Casks."

[Passed, May 20, 17

WHEREAS notwithstanding the aforesaid Act intituled "Act to prevent the Exportation of unmerchanta<sup>b</sup>le Flour, "the False taring of Bread and Flour Casks," passed in twenty fourth Year of his late Majesty's Reign, such great ab have been committed in the Manufacturing of Flour, that great Staple of the Colony has in a very considerable Degree its reputation in all places to which it has usually been expor

which renders some new Regulations indispensably Necessary: AND WHEREAS the said Act provides only that all Wheat Flour bolted for Exportation, shall be of due fineness, with out any respect to the Mode of Manufacturing it.

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same that no person or persons whatsoever shall ship any Flour for Exportation before the same shall have been submitted to the View and examination of one of the Officers herein after named, who shall search and try the same to discover not only whether, it is of due fineness, but whether it has Not been injured in being ground to close, or by some other Means, so as to prevent its rising properly, and making light Bread. And the said Officers are hereby strictly charged not to brand any Flour for exportation, although the same should be of due Fineness unless it should appear to them, that the said Flour has not been injured in the Manufacturing, and that it is really Merchantable, according to the true Intent and meaning of the said Act, and of this Act.

AND BE IT ENACTED by the Authority aforesaid that all Flour for exportation shall be inspected at or after the Time of Sale, and that if purchaser of Flour for Exportation shall neglect to have the same inspected at or after the Time of such purchase, in such Case, the said purchaser shall forfeit for every such Cask of Flour the Sum of ten shillings although at any Time before the said purchase the said Flour may have been inspected and branded.

AND BE IT ENACTED by the Authority aforesaid That Francis Maerschalk, and Henry Bogert and no other person shall be and hereby are appointed the Officers for Viewing and examining all Flour that is intended to be shipped for exportation directly from the Port of New York, and that the said Inspectors shall divide the Allowance provided by the aforesaid Act for their Trouble for inspecting the said Flour equally between them, each of them doing as near as may be an equal share of the Duty, required of them by this and the said Act before mentioned.

AND BE IT FURTHER ENACTED by the Authority Aforesaid that all Flour Casks that shall be inspected for exportation shall be hooped with ten Hoops at least, three of which to be on each Head.

AND BE IT ALSO ENACTED by the Authority aforesaid before the said Inspectors shall do any thing in execution of said Office, they shall each of them take an Oath before Magistrate of the City of New York in the Words following.

"I A. B. do Swear that I will faithfully truly and impartially according to the best of my Judgment, Skill and understanding execute do and perform, the Office and Duty of an Inspector and examiner of Flour according to the true Intent and meaning of two several Acts, the one intitled "An Act to prevent the exportation of unmerchantable Flour and the false taring of Bread Flour Casks," And the other intitled, "An Act to amend an Act intitled An Act to prevent the exportation of unmerchantable Flour, and the false taring of Bread and Flour Casks help me God.

AND BE IT FURTHER ENACTED by the Authority aforesaid that this Act shall be in full force from the first Day of September next to the first Day of January which will be in the Year of Lord one thousand seven hundred and seventy five.

#### [CHAPTER 1392.]

[Chapter 1392 of Van Schnack where the title only is printed. Amended by chapter 1444. Expired January 1, 1773. Provided for by chapter 1444.]

An Act for regulating the Sale of Goods to be sold at Public Vendue, Auction or outcry within this Colony.

[Passed, May 20 1772.]

BE IT ENACTED by his Excellency the Governor, the Council and the General Assembly, and it is hereby enacted by the authority of the same that all Goods Chattels, Wares, Merchandizes and Effects whatsoever which shall or may, at any Time or Times from and after the first Day of August next and during the continuance of this Act be sold or exposed to sale at Public Vendue, Auction or Outcry, within this Colony by any Vendor Master or Vendue Masters Auctioneer or Auctioneers, or by any other Person or Persons whomsoever shall be and hereby declared and made subject to a Duty of five Pounds for every hundred Pounds of the value or price at which the same shall be sold or exposed to sale as aforesaid and after the same Rate every greater or lesser Sum to be paid by such Person or Persons who shall so sell or expose the same to sale as aforesaid. PROVIDED ALWAYS and it is hereby enacted by the Authority

aforesaid, that all Goods belonging to the Crown, or Seized by any Public Officer or Officers for or on Account of any forfeiture or forfeitures, penalty or Penalties, Houses, Lands, Ships and Vessels, Goods and Effects of deceased Persons, or Goods distrained for Rent, or taken in Execution, Effects of insolvent Debtors, Household Goods, Utensils of Husbandry, Goods Condemned as prize, Goods damaged at Sea, and sold on account of the Owners or Insurers, Horses, Neat Cattle, Hogs, sheep and all kinds of Grain, shall in no wise be subject to but are hereby altogether exempted and declared free from the Duty above mentioned, any Thing herein before contained to the contrary in any wise notwithstanding.

AND in order more effectually to secure the Duty hereby imposed as aforesaid. BE IT ENACTED by the Authority aforesaid that no Vendue Master or Vendue Masters, Auctioneer or Auctioneers or any other Person or Persons whatsoever shall presume to sell dispose of or expose to sale any Goods, Chattels, Wares, Merchandizes or Effects (except such as are herein before excepted) at Public Vendue, Auction or Outcry, unless he she or they first enter into Recognizance to our Sovereign Lord the King his Heirs and Successors before any one of the Judges of the Supreme Court of this Colony or the Mayor or Recorder of the City of Albany, or one of the Judges of the Inferior Court of common pleas in the other Counties, in the Penal Sum of five hundred Pounds Current Money of the Colony with two sufficient securities each in the sum of two hundred and fifty Pounds like Money conditioned for the true payment of the Duties herein before mentioned to the Treasurer of this Colony for the Time being, and in all Things well and faithfully to behave according to the true Intent and meaning of this Act, which Recognizance shall be filed with the said Judge or with the Mayor or Recorder of the City of Albany or with the Judge of the inferior Court in the Counties before whom it shall be taken and every such Vendue Master or Vendue Masters Auctioneer or Auctioneers and every other person or persons who shall at any Time or Times during the Continuance of this Act either for him her or themselves or on his h r or their own Accounts, or for or on Account of any other person or persons whomsoever, sell dispose or expose to sale any Goods Chattels, Wares, Merchandizes or Effects (except as is before excepted) at Public Vendue, Auction or Outcry, shall at or within twenty Days after the expiration

of every three Months after the coming in of a just exact and true Account in writing of this Colony for the Time being Recorder for the City of Albany, or for the Judges of the Inferior Court of this Colony hereby respectively Authorized and in full Satisfaction of all and Singular the Good Effects which he she or they shall be bound to sell at Public Auction Vendue or Outcry, said, and shall at the same Time Pay the Time being the Sum of five Pence for every such rate for a greater or lesser value.

AND BE IT ENACTED by the Authority of this Colony that every Person or Persons presuming to sell any Wares or Merchandizes (except as before directed) into Recognizance as above directed for more than fifty Pounds for every Offence, which shall be taken for in any Court of Record in this Colony shall remain in the Treasury 'till the same shall hereafter to be made for that purpose.

AND BE IT FURTHER ENACTED by the Authority of this Colony that the Treasurer of this Colony shall keep exact and distinct Accounts of the Money so received and keep from Time to Time by Virtue of this Act or Acts hereafter to be made for that purpose.

AND BE IT FURTHER ENACTED by the Authority of this Colony that this Act shall be and continue in full Force and Effect from the first Day of August next until the first Day of August in the Year of our Lord one thousand seven hundred and seventy two.

#### [CHAPTER 1393]

[Chapter 1393 of Van Schaack, where the title is:]

An Act for the better  
collecting of Taxes

WHEREAS difficulties have frequently arisen in the assessment of Taxes assessed on Real Estates in this Colony by means of the Persons in possession of the same



Taxed alledging that they are not the Owners or Proprietors thereof nor chargeable with the Payment of the Taxes: And at other Times by reason of the Real Estate Taxed being unoccupied at the Time of Collecting the Taxes and nothing thereon to be found on which distress can be made for the same by which means deficiencies have frequently happened in the Monies intended to be raised, for remedy whereof for the future.

BE IT ENACTED by his Excellency the Governor the Council and General Assembly, and It is hereby enacted by the Authority of the same That from and after the Publication of this Act It shall and may be Lawful to and for any collector of Taxes in the City of New York to require and demand the Taxes that shall be assessed and laid on any Real Estate within the City of New York in the Tax List to him delivered mentioned of and from the Person or Persons in possession of such Real Estate, and in Case of Nonpayment thereof to levy the same by distress and sale of the Goods and Chattels found upon the Estate so Taxed rendering the overplus (if any be) after deducting the said Tax and the Charges of such distress and sale to the Owner or Owners thereof. And in Case of nonpayment of such Taxes by the Person or Persons in possession of such Real Estate, and want of sufficient Goods and Chattels on the Premises whereon the same can be Levied by Distress as aforesaid that then It shall and may be Lawful to and for such Collector to require and demand the said Tax of and from such Person who shall be named in such Tax Roll as the Owner or Proprietor of such Real Estate in whatsoever Ward in the City of New York he or she may live, and in Case of nonpayment thereof to Levy the same by distress and sale of the Goods and Chattels of such Owner rendering the Overplus if any be after deducting said Tax and the charges of such Distress and Sale to the Owner thereof.

AND WHEREAS it sometimes happens that Real Estates are Taxed and at the Time of Collecting the Taxes they are unoccupied and the Owner or Proprietor thereof happens to reside out of the City of New York so that no distress can be made for the same.

BE IT THEREFORE FURTHER ENACTED by the Authority aforesaid that from and after the Publication of this Act where any Real Estate shall be Taxed and the said Tax not paid, and no Goods or Chattels to be found on the Premises whereon the same can be levied

by distress and the Owner thereof shall reside out of the City of New York, that it shall and may be Lawful in such Case to and for the Collector of such Tax whenever he can find the said Owner of such Real Estate so Taxed in the City of New York to sue and prosecute him or her for the same in his or her Name before the Mayor Recorder or any one of the Aldermen of the said City in the same manner as Suits to the Value of five Pounds and under are now Prosecuted before them in which Action it shall be sufficient for the Plaintiff to Alledge that the Real Estate of the Defendant was taxed and that the same remains unsatisfied and that no distress could be found where the same could be levied whereby the Plaintiff's Action accords to him according to the form of this Act without setting forth the special matter: And the said Mayor Recorder and Aldermen are hereby Authorized and required to hear and determine such Suit and to proceed to Execution therein in the like manner as is directed for the Tryal and proceeding in Causes to the Value of five Pounds and under, and in Case Judgment shall be given for the Plaintiff, then such Mayor Recorder or Aldermen shall award him such Costs as are allowed in such Suits above mentioned. AND if the Plaintiff shall be nonsuited, discontinued Judgment pass against him then such Mayor Recorder or Aldermen shall Award the Defendant such Costs as are allowed in like Cases in Suits of the value of five Pounds and under and such Defendant shall have the like remedy for the recovery thereof as is provided in Suits of the value of five Pounds and under which said Taxes when recovered shall be paid into the Hands of the Church Wardens of the City of New York for the uses and Purposes for which the same was laid.

PROVIDED NEVERTHELESS that nothing in this Act contained shall be construed to Affect any Contract or Agreement that has been or shall be made between any Landlord and Tenant about the payment of any Taxes, but that they shall be chargeable and answerable to each other in the same manner as if this Act had never been made. And in Case any Taxes shall be payable by any person when by Agreement or by Law the same ought to be borne and paid by some other Person, that the Person paying shall and may have such remedy over against the Person chargeable with the payment of such Tax as he or she could have had if this Act had never been made any thing herein to the contrary thereof in any wise notwithstanding.

AND BE IT ENACTED by the Authority aforesaid. That this Act shall be in force from the Publication thereof until the first Day of January in the Year of our Lord one thousand seven hundred and seventy five.

[CHAPTER 1394.]

[Chapter 1394 of Van Schaack, where the title only is printed.]

An Act to enable the Supervisors of the County of West Chester to raise the Arrears of Taxes due from the said County.

[Passed May 20, 1769]

WHEREAS several of the Collectors within the said County of Westchester having collected the Taxes which have been Assessed for their respective Districts, have converted the same to their own use and are now insolvent.

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly, and it is hereby enacted by the Authority of the same, That the Supervisors of the said County are hereby authorized impowered and required at their next Meeting to cause all such sums of Money which have been, received either on account of Provincial or County Taxes, by any of the Collectors within the said County which are insolvent or shall appear to the said Supervisors to be unable to repay the Moneys by them severally received to be again levied and collected from each respective Town or District within the said County where such insolvency or inability may have happened together with the usual Allowance for collecting the same, in the same manner as the other Contingent And Necessary Charges of the said County are raised collected and Paid.

AND BE IT ENACTED by the Authority aforesaid that where such Insolvent Collector or Collectors have given Security by Bond or otherwise to the Freeholders and Inhabitants of the Town and Districts for which they have severally been chosen and appointed, that in such case it shall and may be Lawful for the Treasurer of the said County of Westchester, or for the Treasurer for the Time being in his own Name to sue for and recover of and from all such person or persons being security as aforesaid, their Heirs Executors and Administrators and every of them all such Sum and Sums of Money as shall be due and owing from such Collectors or any of them.

AND WHEREAS the former Treasurers of the said County have received sundry Sums of Money which they still detain in their hands

BE IT FURTHER ENACTED by the said Assembly that the present Treasurer of the said County shall pay to the said Treasurer for the Time being is hereby enacted as soon as conveniently may be after the said Treasurer has prosecuted such late Treasurer or Treasurers for the recovery of all Such Sum or Sums of Money which he have received and have now in his possession or their having been Treasurer or Treasurers of the said County

AND BE IT FURTHER ENACTED that when the several Sums to be raised by the said Act shall be collected and paid to the said County, he shall pay the same in such manner as to say, such part thereof as is due to the said County to the Treasurer of the said Colony and towards sinking the Bills of Credit and towards sinking the Bills of Credit and towards sinking the Bills of Credit as belongs to the contingent Charge of the said County shall be ordered and directed by the said Assembly the major part of them.

#### [CHAPTER 12]

[Chapter 1395 of Van Schaack, where Chapters 652 and 756.]

An Act for  
in Dutchess County  
one to be Called  
Paulings Precinct

WHEREAS Beckmans Precinct is so Extensive that many of the Inhabitants find it inconvenient to attend the Annual Meeting for the Election of Officers and is become so populous that it can no longer be Held with due Order and Regularity

1st BE IT THEREFORE ENACTED by the Governor the Council and the General Assembly that the said Precinct shall be after the first day of October next divided into three Precincts in the following manner. begining at the House of William Clark and running thence North by the line of the said House of William Clark and running thence North by the line of the said House of William Clark and running thence North by the line of the said House of William Clark

line to the House of Nathaniel Lee, from thence to the House of Caleb Lamb and from thence to run South sixteen degrees West to the South Precinct line, the Westernmost part of which division shall be Called Beckmans Precinct and the Easternmost Paulings Precinct in each of which two Precincts shall annually be Chosen by the Majority of the Voices of the Freeholders and Inhabitants that shall there Assemble out of each respective Precinct, One Clerk, One Supervisor, two Assessors One Collector, two Constables, three Overseers of the Poor three fence Viewers, One Pound Master, and Six Overseers of the Highways or as many more Overseers of the High ways as the Majority of the Freeholders and Inhabitants on the Annual day of Election shall think fit.

AND BE IT ENACTED by the Authority aforesaid that the said Officers so Elected as Aforesaid shall Each and every of them respectively have the same Powers and Authority that any of the like Officers have in any of the Precincts of the said County and shall be liable to the same pains and penalties; any thing in this or any other Act to the Contrary hereof notwithstanding

AND BE IT ENACTED that the Inhabitants of Beckmans Precinct shall Annually meet on the first Tuesday in April for the Election of Officers for said Precinct at the present Dwelling House of Arie DeLange, And the Inhabitants of Paulings precinct shall meet the same day for the like purpose at the present Dwelling House of Andrew Morehouse.

#### [CHAPTER 1396.]

[Chapter 1396 of Van Schaack, where the act is printed in full. See chapters 1339, 1975 and 1440.]

An Act to amend an Act intituled "An Act more effectually to prevent the Killing of Deer and firing of Woods within this Colony." and also to amend an Act intituled, "An Act to prevent the Destruction of Deer by Blood Hounds or Beagles in the Counties of Albany Ulster and Orange." so far as the said two Acts respect the Counties of Ulster and Orange.

[Passed, May 20, 1769.]

WHEREAS in and by the aforesaid Act intituled "An Act more effectually to prevent the Killing of Deer and firing of Woods



"within this Colony." passed in the Reign of his late Majesty King George and Enacted. That if any Person or Persons thereof should kill or destroy any or any other sort of Deer whatsoever of January February, March, April, May, June, July, August, September, October, November, or December, every such Person or Persons should for every such Offence be liable to pay Five Pounds for every such Buck, Doe, Fawn or Destroyed as aforesaid contrary to the Intent and meaning of the said Act; which Penalty is hereby confirmed.

BE IT ENACTED by his Excellency the Governor and the General Assembly, and in the full Authority of the same, That if any Person or Persons shall violate the Publication of this Act shall kill or destroy any or any other Sort of Deer in any of the Months of January, February, March, April, May, June, July, August, September, October, November, or December, every such person shall for every such Offence be liable to pay Five Pounds with Costs of Suit for every such Buck, Doe, Fawn or other Deer so killed or destroyed as aforesaid contrary to the true Intent and meaning of the said Act; which Penalty is hereby confirmed and applied as in and by the said last in and by the said last in and by the said last in and by the said last in and for want of Effects to answer the said Five Pounds and Costs to be committed to the County where such Offence shall be committed, and to be paid within three Months if not sooner discharged, and for every such Offender of five Pounds and Costs, and for every such Offenders against this Act.

BE IT ENACTED by the Authority of the Governor and the General Assembly, that any Person in whose custody shall be found any Green Deer Skins fresh Venison, or any other such Goods, in any of the Months before mentioned, shall be liable to the Penalty thereof by the Oath of one Credible Person, and the Party shall be deemed and adjudged guilty of the said Offence.

AND BE IT FURTHER ENACTED by the Authority of the Governor and the General Assembly, that every Constable (being the Agent or Agent of one or more Justices of the Peace) shall and may have at any Time in any of the Months before mentioned (if so required) to enter into and search any such Place where Goods are stored, and to seize any such Goods as shall be found therein, and to bring the same before the Justices of the Peace, and to be dealt with as the Justices of the Peace shall think fit.

the House or Houses out Houses or Other Places belonging to such Houses of suspected Persons, and in Case any Green Deer's skin, Fresh Venison or Deers Flesh shall there be found such Officer shall apprehend such Offender and carry him before some Justice of the Peace of the same County, and shall be convicted by the said Justice of such Offence, who on such Conviction shall be subject and liable to the forfeiture and Penalty hereby indicted for the killing of any one Deer in the same manner as if thereof convicted as aforesaid.

AND WHEREAS in and by the aforesaid Act intituled an Act to prevent the Destruction of Deer by Blood Hounds or Beagles in the Counties of Albany Ulster and Orange passed in the eighth Year of his present Majesty King George the third it is provided and enacted that if any person or persons whatsoever shall be found out of his or their inclosed Lands within the Counties of Albany Ulster or Orange from and after the Publication of the said Act, having with him or them a Blood Hound or Blood Hounds, Beagle or Beagles, every such Person or Persons shall forfeit and Pay the sum of two Pounds for every such Blood Hound or Beagle that shall be found with him without his inclosed Lands.

AND WHEREAS it is found from Experience, That Blood Hounds and Beagles are of great use in the Destruction of Wolves and other Vermin in the Counties of Ulster and Orange. BE IT THEREFORE ENACTED by the Authority aforesaid, That it shall and may be Lawful for any Person or Persons to make use of Blood Hounds or Beagles in the hunting or destroying of Wolves or other Vermin within the said Counties of Ulster or Orange, notwithstanding any thing in the said last in part recited Act to the contrary thereof. PROVIDED that nothing herein contained shall be construed to Authorize any Person or Persons to hunt pursue or destroy any wild Buck Doe or Fawn or other Deer with any Blood Hound or Blood Hounds, Beagle or Beagles in the said Counties of Ulster or Orange, and that if any person or persons whatsoever shall hunt pursue or destroy any wild Buck, Doe or fawn or other Deer with any Blood Hound or Blood Hounds, Beagle or Beagles in the said Counties of Ulster or Orange every such Person for every such Offence shall forfeit the sum of five Pounds, with Costs of Suit for every such Buck Doe or Fawn or other Deer so killed or destroyed as aforesaid contrary to the true Intent and meaning

of this Act to be recovered and answered first in part recited Act is directed answer the aforesaid Fine of Five Pennies committed to the common Goal of the Colony shall have been committed for the same shall be sooner discharged by paying the same Costs.

PROVIDED ALSO, That if any person shall be sued or prosecuted for or on account of any thing which he or they shall do in pursuance of this Act shall and may be Lawful to and for him or them to be sued or prosecuted to plead the Objection as a special matter in Evidence.

#### [CHAPTER 1397]

[Chapter 1397 of Van Schaack, where chapters 972, 996.]

An Act to amend an Act of the County of Dutchess, relating to the Sums of Money received by him or them in pursuance of the Acts of the Lieutenant Governor and General Assembly of New York, one of the Acts of the County of Dutchess, relating to the Sums of Money received by him or them in pursuance of the Acts of the Lieutenant Governor and General Assembly of New York, made in the eighth Year of the said King George the third. "An Act to amend an Act for regulating the Militia of New York made and passed in the eighth Year of his late Majesty King George the third."

WHEREAS It was in and by the said Act among other Things enacted that the Militia of this Colony should be liable to be called out for not enlisting or refusing to enlist in the Militia of this Colony during the time mentioned in the said Act, and also if any such

should refuse or neglect to serve on any Military Watch appointed by Virtue of the said Act or send a sufficient and well armed Man in his Place should forfeit for every such Offence the sum of ten shillings.

AND WHEREAS the People called Unitas Fratrum or the United Brethren residing within this Colony, who should Claim exemption from Military Service in Virtue of an Act of Parliament made and passed in the twenty second Year of his late Majesty's Reign, were every of them claiming such exemption subjected to the payment of the Sum of twenty shillings in and by the said first mentioned Act, and that every such Person (being duly warned to serve on such Military Watch as aforesaid) who should neglect or refuse so to do, or to send a sufficient and well Armed Man in his Stead should also forfeit for every such Offence the Sum of ten Shillings, as in and by the first mentioned Act reference being thereunto had, will more fully and at large appear.

AND WHEREAS it was in and by the the said Second Act herein before mentioned enacted that the several county Treasurers for the Time being should be and thereby were Authorized impowered and strictly required within one Month after the publication of the said last mentioned Act to levy all the said Sums pursuant to the Directions of the said Act, as by the last mentioned Act reference being thereunto had will also more fully and at large appear.

AND WHEREAS the said late Treasurer of the said County of Dutchess during the continuance of the said Acts and in virtue thereof hath received diverse Sums of Money to a considerable amount, which Monies still remain in the Hands of the said Treasurer unaccounted for and unappropriated to the uses specified in the said second Act herein beforementioned.

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly and it is hereby enacted by the Authority of the same that the said late Treasurer of the County of Dutchess aforesaid shall and is hereby directed and strictly required within three Months after the Publication of this Act to render unto his Excellency in Council under Oath a just and true Account of all the Monies heretofore received by him as Treasurer of the County of Dutchess aforesaid from the People called Quakers and also of and from the People called Unitas Fratrum or the united Brethren in virtue of the said two

Acts herein before mentioned and what Part of the said Money so by him received hath been appointed to the uses in the second Act herein beforementioned and that he pay the Balance remaining in his Hands within one Month thereafter into the Hands of the supervisors of the County of Dutchess for the same being to be by them applied to and for the use of the said County of Dutchess, and the said Supervisors of the said County of Dutchess for the Time being or the Major Part of them are hereby authorized and impowered to demand and require of and from the said late Treasurer of the County of Dutchess, said Balance found to be due after the accounting as aforesaid in any Case of Non payment thereof within the Time herein before limited, and the said Supervisors of the County of Dutchess for the time being or the Major part of them are hereby impowered directed and required to sue and prosecute the said late Treasurer of the County of Dutchess for the recovery thereof.

[CHAPTER 1398.]

[Chapter 1398 of Van Schaack, where the act is printed in full chapter 761.]

An Act to amend and explain the thirteenth Section of an Act intituled, "An Act to divide the Southern Part of the County of Ulster into Precincts, and to enable the Corporation of Kingston and the Manor of Fox Hall to chuse and elect one Supervisor, and for regulating the Supervisors, Assessors within the said County.

[Passed, May 20, 1784.]

WHEREAS some doubts have arisen upon the thirteenth Section of an Act of the Governor, Council and General Assembly of this Colony intituled, "An Act to divide the Southern Part of the County of Ulster into Precincts and to enable the Corporation of Kingston and the Manor of Fox Hall to chuse and elect one supervisor more, and for regulating the Supervisors and Assessors within the said County," passed the seventeenth day of December in the Year of our Lord one thousand seven hundred and forty three, and upon the Oath there in prescribed taken by the Assessors whether the Rate to be made by the Assessors is to be on the estimated Yearly Income, of each re-



tive Estate, or upon the Yearly Interest or Income of that Income, to remedy which for the future.

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly, and it is hereby enacted by the Authority of the same that the rate to be made by the respective Assessors shall be upon the estimated yearly Income of each respective Estate, and not upon the Yearly Interest or Income of that Income, and that instead of the Oath directed in and by the said thirteenth section of the aforesaid Act, the several Assessors shall respectively before they enter upon the Execution of their respective Offices take the following Oath before any Justice of the Peace for the said County who is hereby authorized and required to administer the same, and to give each Assessor a certificate thereof VIZt.

"I A B. do swear on the holy Evangelists of Almighty God that  
"I will return a List according to the best of my knowledge con-  
"taining the Names of all and every the Freeholders and Inhabi-  
"tants within the District for which I am chosen or appointed  
"Assessor, and that I will well truly fairly equally Impartially  
"and in due and equal proportion according to the best of my  
"skill and understanding rate all the whole Estates as well real as  
"personal (the unimproved Lands only excepted) of all and every  
"the Freeholders and Inhabitants of the district or Place for  
"which I am chosen or appointed assessor; and that I will care-  
"fully justly and fairly according to the best of my Skill and  
"understanding compute the Yearly Income of such Estate, and  
"for each Shilling of such Income, I will rate such person or per-  
"sons one Pound. so help me God." Which rate so to be made  
by the said Assessors respectively shall be a nominal Standard  
for the supervisors of the said County to fix the true proportion  
of Tax that each person so rated is to pay that year. And the  
said Assessors are hereby respectively required to return to the  
Supervisors with the List in the said Act directed the above men-  
tioned Certificate of their having taken the said Oath herein  
directed, any thing in the said Act to the contrary thereof in any  
wise notwithstanding.

## [CHAPTER 1399.]

[Chapter 1399 of Van Schaack, where the act is printed in full chapters 1269, 575 and 686.]

An Act further to continue the Acts therein mentioned respecting the ways in the County of Suffolk.

[Passed, May 20, 1790.]

BE IT ENACTED by his Excellency the Governor, the Council and General Assembly, and it is hereby enacted by the Authority of the same that the Act, intituled, "An ACT for the better clearing, regulating and further laying out public Highways in the County of Suffolk;" passed in the Sixth Year of his late Majesty's Reign; and the Act entitled, "An Act to continue an act intituled an act for the better clearing, regulating and further laying out public Highways in the County of Suffolk with additions thereto;" passed in the thirteenth Year of his said Majesty's Reign; and also the Act, entitled, "An Act to amend an Act, entitled, an Act for the better clearing regulating and further laying out public Highways in the County of Suffolk;" passed in the nineteenth Year of his said late Majesty's being near expiring, shall be and hereby are continued, and the Clause, Matter, Article and Thing in the aforesaid three Acts contained, Enacted to be and remain in full Force and Virtue for all Intents Constructions and purposes Whatsoever from the Day of January next until the first Day of January which shall come in the Year of our Lord one thousand seven hundred and ninety Five.

## [CHAPTER 1400.]

[Chapter 1400 of Van Schaack, where the act is printed in full chapter 1293.]

An Act further to continue an Act intituled An Act to restrain the Feeding and burning the Grass and cutting the Timber on certain Beeches and Islands therein mentioned.

[Passed, May 20, 1790.]

BE IT ENACTED by his Excellency the Governor the Council and the General Assembly, and it is hereby enacted by the Authority of the same that the Act aforesaid intituled an Act to restrain the feeding and burning the Grass and cutting the

ber on certain Beeches and Islands therein mentioned passed in the thirty second year of the Reign of his late Majesty King George the second being near expired, shall be and hereby is further continued and every Clause matter and thing therein contained enacted to be and remain of force from the first Day of January next to the first Day of January which will be in the Year of our Lord one thousand Seven hundred and seventy five.

## [CHAPTER 1401.]

[Chapter 1401 of Van Schaack, where the title only is printed. See chapter 1380. Expired January 1, 1772. Provided for by chapter 1529.]

An Act to amend An Act entitled An Act to prevent the use of Spirituous Liquors at Vendues in Orange County and for extending the same with such Amendments to Ulster County.

[Passed, May 20, 1769.]

WHEREAS in and by a Certain Act of the Governor the Council and General Assembly of this Colony Passed the thirty first day of December in the Year of our Lord One Thousand Seven Hundred and Sixty Eight it was Enacted "That any Person or Persons whatsoever who should "Presume after the first day of "March then next to give or sell any Spirituous Liquor at any "Vendue within the said County or Should procure the same "to be done by any other Person or Persons whatsoever either at "the House or Place where such Vendue should be held or at "any other place within one Mile of such Vendue under any pretence whatsoever Contrary to the true Intent and meaning of "that Act, such Person or Persons should forfeit and Pay Five "Pounds," to be recovered and Applied as in and by the said Act as Provided AND WHEREAS it is conceived that the Forfeiture mentioned in the said Act is too low to Answer the good purposes thereby intended.

BE IT THEREFORE ENACTED by the Governor, the Council and the General Assembly and it is hereby Enacted by the Authority Aforesaid that any Person or Persons who Shall after the first day of June next presume to Sell or give any Spirituous Liquor at any Vendue within the said County or shall procure the same to be done by any other person or persons whomsoever either at the Place where such Vendue shall be held or at any

other Place within one Mile of such Vendue under any Pretence whatsoever Contrary to the true Intent and meaning of the Recited Act shall forfeit and Pay the Sum of Five Pounds each Person to whom he or they Shall Sell or give Spirituous Liquors as aforesaid to be recovered in distinct Suit Applied as in and by the said Act is mentioned and Provided.

AND BE IT FURTHER ENACTED by the Authority aforesaid that as well this Act as the Act above in part recited and every Clause Article and thing therein mentioned shall Extend as hereby Extended to Ulster County any thing in the said Act or in this Act contained to the contrary thereof in any manner notwithstanding.

AND BE IT ALSO FURTHER ENACTED by the Authority aforesaid that this Act and every Clause matter and thing therein Contained Shall be in force from the first day of June next to the first day of January which will be in the Year of our Lord One Thousand Seven Hundred and Seventy two.

[CHAPTER 1402.]

[Chapter 1402 of Van Schaack, where the title only is printed.]

An Act to raise within the Town of Schenectady the Sum of two hundred and forty two Pounds eighteen Shillings and Pence one farthing, and the further Sum of forty four Pounds twelve Shillings for the uses therein mentioned.

(Passed, May 20 1771.)

WHEREAS by an Act of the Legislature of this Colony in the Year of our Lord One Thousand Seven Hundred and seventy one "An Act to raise within the Bounds and Limits of the Town of Schenectady the Sum of two hundred and twenty seven Pounds ten shillings, and the farther Sum of forty four Pounds twelve shilling to and for the uses therein mentioned" passed the thirty first Day of December in this present Ninth Year of Majesty's Reign the supervisors of the City and County of Albany were directed at their first Meeting next after the Publication of the said Act to raise levy and Collect from the Freeholders, Tenants, and Sojourners of that part of the Township of Schenectady in the said Act mentioned the said Sum of two hundred and twenty seven Pounds ten Shillings, and the farther Sum of forty Pounds twelve shillings the first of which Sums to be a

In repaying several persons who had advanced Money towards purchasing a Fire Engine for the use of the said Town, and the remainder in paying the Ballance still due for the said Fire Engine, and the remaining Sum to be paid to John Glen Junior for so much by him expended in building a Stone Bridge within the Limits of the said Township.

AND WHEREAS the Supervisors of the said City and County of Albany did neglect to raise the said several Sums of Money or any part thereof, as in and by the said Act they were directed by means whereof the Persons who have advanced the said Monies and to whom the said Ballance was remaining due have not been paid agreeable to the intention of the said Act.

AND WHEREAS a further charge of fifteen Pounds twelve shillings and three pence half penny, hath arisen on account of the said Fire Engine since the passing of the said Act.

BE IT THEREFORE ENACTED by his Excellency the Governor the Council and the General Assembly, and it is hereby Enacted by the Authority of the same, that it shall and may be Lawful to and for the Assessors of the Township of Schenectady, and they are hereby directed and required within three Months next after the publication of this Act to Assess raise levy and cause to be collected of and from the several Freeholders and Inhabitants dwelling and residing or that hold Estates in that part of the said Township which lies on the South side of the Mohawk River and within the Circuit of one English Mile and an half from the Dutch Church there the Sum of two hundred and forty two Pounds eighteen Shillings and five pence one farthing which Sum shall be assessed raised levied and collected in the same manner as the other necessary and contingent Charges are, and the said Assessors are hereby also required and directed to assess raise levy and cause to be collected of and from all the Freeholders and Inhabitants of the said Township the farther Sum of forty four Pounds twelve Shillings in the same manner and at the same time as the aforesaid Sum of two hundred and forty two Pounds eighteen shillings and five Pence one farthing is hereby directed to be raised

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Monies so to be raised by this Act shall by the Collector or Collectors of the said Township be paid unto the Justices of the Peace residing within the Town aforesaid or to the Major part of them, part of the said Sum of two hundred and



forty two Pounds eighteen Shillings to be by them applied in repaying the advanced Money for the aforesaid Order thereof in paying the Ballance of and the said Sum of forty four Pounds paid to John Glen Junior for so much in building a Stone Bridge within the Limits of the said Parish of St. Andrew's, nothing in the before in part recited Act to the contrary in any wise notwithstanding.

## [CHAPTER 1403]

[Chapter 1403 of Van Schaack, when Amended by chapter 1443.]

An Act to  
Inhabitants of the  
to elect six Assessors  
Constables two  
Viewers and Sur-

WHEREAS the Inhabitants of the said County of Albany by certain Acts of the Legislature of the State of New York to elect certain Officers therein made necessary by reason of the being since considerably increased and Settlements a greater Number of

BE IT THEREFORE ENACTED by the Senate and Assembly or the Council and the General Assembly of the State of New York Enacted by the Authority of the said State of New York that the Inhabitants of the said Manor of the said County of Albany Island shall Yearly and every Year elect and chuse by Majority of Voters, one Clerk, Six Constables and many Surveyors of the Highways by Majority of the Freeholders then assembled to serve for that part of the Manor of the said County of Albany the same Power, Authority, Office and Form, execute and be liable to the same as the like Officers by the Laws of the State of New York intended to have do perform, and as

AND BE IT FURTHER ENACTED by the Senate and Assembly or the Council and the General Assembly of the State of New York that the Freeholders and Inhabitants of the said

said Manor called Claverack shall Yearly and every Year on the first Tuesday in April Elect and Chuse by Majority of Voices two Assessors, one Collector, one Clerk, two Constables, one Pound Master, and so many Surveyors of the Highways and Fence Viewers, as the Majority of the Freeholders then assembled shall judge necessary to serve for that Part of the said Manor called Claverack who shall have the same Power, Authority, Office, and Function, and do perform execute and serve, and be liable to the same Pains and Penalties as the like Officers by the Laws of this Colony ought or are intended to have do perform and are liable to.

AND BE IT ALSO FURTHER ENACTED by the Authority aforesaid that the Freeholders and Inhabitants of the said Manor to the Northward of Beeren Island shall annually meet for the purposes aforesaid at the present Dwelling House of Rebecca Dox; And the Freeholders and Inhabitants of that Part of the said Manor called Claverack shall Annually meet for the purposes aforesaid at such place as shall be fixed upon by the Majority of his Majesty's Justices of the Peace residing in that part of the Manor of Rensselaerwyck last aforesaid, which places of Meeting as aforesaid shall be and remain the Places of Meeting until such Time as the Majority of the Freeholders and Inhabitants at any such Meeting shall agree upon some other certain Place of meeting for the following year, which Place being so agreed on shall remain the place of meeting yearly until altered as aforesaid.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Assessors of the said Manor shall meet together at Crulo, and make one general Assessment of the whole Manor according to the same equitable Rate and proportion as has been the Custom of the said Manor.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the Supervisor and Treasurer for the said Manor shall Annually be elected and chosen at the Place of Annual meeting appointed by this Act in that Part of the said Manor to the Northward of Beeren Island, any Law Usage, or Custom to the Contrary hereof in any wise notwithstanding, this Act to be and remain in force for the Term of Seven Years from the first Day of January next.

## [CHAPTER 1404.]

[Chapter 1404 of Van Schaack, where a portion of the act is printed.]

An Act for Naturalizing Garret Schler, John Brunckhorst, John Samler, Mich Brum, Joseph Steicer, Daniel Duches Adrian DeRonde, Matthews DeRonde, Jo Cherbacher, Jachen Christian Schaltz, Jo Jacob Stapell, Philip Oswald, John Stieck William Cline, Coenraad Wolf, Geo Powers, Michael Hennegar, Anthony App Francis Ortman, John Hill, Anthony Dool John Michael Richers, Daniel Sleight, Pte Eugene Du Simitiere, Jacob Moses, Jo Brooks, Jubatiste Dupuy, Honore Marsen Louis Faugeres, Charles Freidenbergh, George Woolrice.

[Passed, May 20 1792.]

**WHEREAS** the above named Persons, have by their several Petitions presented to the General Assembly desired that they be Naturalized, and become his Majesty's liege Subjects, and settlers in this Colony.

**BE IT THEREFORE ENACTED** by his Excellency the Governor, the Council, and the General Assembly, and it is hereby enacted by the Authority of the same, That the beforementioned several Persons, and each and every of them shall be and here are declared to be Naturalized, to all intents and constructions and purposes whatsoever, and from henceforth and at all Times hereafter shall be entitled to have and enjoy all the Rights, Liberties, Privileges, and Advantages, which his Majesty's natural born Subjects in this Colony have and enjoy, or ought to have and enjoy, as fully to all intents and purposes whatsoever as if all and every of them had been born within this Colony.

**PROVIDED ALWAYS**, and it is hereby further Enacted, the authority aforesaid, That each of the abovenamed persons shall take the Oaths appointed by Law, instead of the Oaths of Allegiance and Supremacy, subscribe the Test, and make, repeat, swear to and subscribe the Abjuration Oath, in any of his Majesty's Courts of Record, within this Colony; which Oath

the said Courts are hereby required upon application to them made to Administer, take Subscriptions, and cause the Names of the persons so Swearing and Subscribing to be entred upon Record in the said Courts, and the said before mentioned persons are hereby each of them required to pay the several Sums hereafter mentioned, that is to say. To the Speaker of the General Assembly the sum of ten Shillings, to the Judge of such Court, the sum of Six Shillings, and to the Clerk of such Court the sum of three Shillings.

AND BE IT FURTHER ENACTED by the Authority aforesaid, That if the said Persons or any of them, having so sworn and subscribed as aforesaid, shall demand a Certificate of his or their being entred upon Record in the manner before directed the Court or Courts in which such Oaths and Subscriptions shall be made, are hereby directed and required, to grant such, under the Hands of the Judge, and Seal of the said Court or Courts, in which such Oaths and Subscriptions as aforesaid shall be made countersigned by the Clerk of the said Courts, for which Certificate each of them shall pay over and above the Sums abovementioned the Sum of Six Shillings one half to the Judge of such Court or Courts, and the other half to the Clerk thereof; which Certificate or Certificates, shall be at all Times, to the person or persons therein named a sufficient Proof of his or their being naturalized, by virtue of this Act, in as full and effectual a manner, as if the Record aforesaid was actually produced by the person or persons so named in such Certificates.

PROVIDED ALSO, and be it Enacted by the Authority aforesaid, That such of the Persons hereby Naturalized, as shall not take the Oath, Test and Abjuration in manner herein before directed within twelve Months next after the Publication hereof shall have no manner of Benefit by this Act; any thing herein contained to the contrary notwithstanding.

AND BE IT ENACTED by the same Authority that the Public printer of this Colony shall and hereby is directed and required to print this Act, as if the same was a Public Law of this Colony.

## [CHAPTER 1405.]

[Chapter 1406 of Van Schaack, where the title only is printed, chapter 1563.]

An Act for settling the contested Boundaries between the Patented Lands commonly called Cheescocks and Kakiate in the County of Orange.

[Passed, May 20, 1787.]

WHEREAS his late Majesty King William the third by Letters Patents under the Great Seal of this Colony bearing the twenty fifth Day of June in the Year of our Lord one thousand six hundred and ninety six, did grant to Daniel Honan Michael Haddon in Fee simple a certain Tract of Land by therein mentioned to have been before purchased of the Indian Proprietors, the Bounds whereof are in the Words following to wit. All that Tract of vacant Land in our County of Orange called Kakyacktawicke bounded on the East by Christians Patented Land on the North by a Creek called Shammawh Pasqua which runs under a great Hill from whence is continued a direct Course until the West South West side of a Plain called Wassegorop bears south, thence to the West South West side of the said Plain from thence to the South South West side until the said Line comes to a Creek that runs into Demarest's Creek to the Southward of the Land called New straw and thence down the said Creek to the Christians Patented Lands." AND WHEREAS her late Majesty Queen Anne by her Letters Patent under the said great Seal dated the twenty fifth Day of March in the Year of our Lord one thousand six hundred and seven did grant in Fee simple to Anne Bridges and six other Persons there in named a certain Tract of Upland Meadow before purchased from the native Indian Proprietors situate lying and being in the County of Orange called Cheescocks being bounded to the Northward by the Patented Lands of Captain John Evans, and the Patent of Doctor Bridges and continued to the Westward by the said Patent of Bridges &c and the East side of the High Hills called the Highlands to the Southward the patented Lands of Mr. Daniel Honan and Michael Haddon and to the Eastward by the Christian Patented Lands of New straw and Hudson's River. AND WHEREAS the Bounds of said Patents of Kakiate and Cheescocks according to the de-



the said Courts are hereby required upon application to them made to Administer, take Subscriptions, and cause the Names of the persons so swearing and Subscribing to be entred upon Record in the said Courts, and the said before mentioned persons are hereby each of them required to pay the several Sums hereafter mentioned, that is to say. To the Speaker of the General Assembly the sum of ten Shillings, to the Judge of such Court, the sum of Six Shillings, and to the Clerk of such Court the sum of three Shillings.

AND BE IT FURTHER ENACTED by the Authority aforesaid, That if the said Persons or any of them, having so sworn and subscribed as aforesaid, shall demand a Certificate of his or their being entred upon Record in the manner before directed the Court or Courts in which such Oaths and Subscriptions shall be made, are hereby directed and required, to grant such, under the Hands of the Judge, and Seal of the said Court or Courts, in which such Oaths and Subscriptions as aforesaid shall be made countersigned by the Clerk of the said Courts, for which Certificate each of them shall pay over and above the Sums abovementioned the Sum of Six Shillings one half to the Judge of such Court or Courts, and the other half to the Clerk thereof; which Certificate or Certificates, shall be at all Times, to the person or persons therein named a sufficient Proof of his or their being naturalized, by virtue of this Act, in as full and effectual a manner, as if the Record aforesaid was actually produced by the person or persons so named in such Certificates.

PROVIDED ALSO, and be it Enacted by the Authority aforesaid, That such of the Persons hereby Naturalized, as shall not take the Oath, Test and Abjuration in manner herein before directed within twelve Months next after the Publication hereof shall have no manner of Benefit by this Act; any thing herein contained to the contrary notwithstanding.

AND BE IT ENACTED by the same Authority that the Public printer of this Colony shall and hereby is directed and required to print this Act, as if the same was a Public Law of this Colony.

appointment the Major Part of each of the said Committee of the Survivors of each such Committee shall be parties that every such Nomination and appointment to which Major Part of each Committee, or of the Survivors of each Committee shall not be parties shall be absolutely null and Void thing herein contained to the contrary thereof in any Notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that the said Commissioners when so appointed as aforesaid the Major Part of them, and the Survivors of them, and the Major Part of such Survivors shall be and hereby are fully and absolutely Authorized and Impowered in and by such ways means as they shall judge expedient to fix settle ascertain finally determine the Boundaries between the said two Parts of Cheescocks and Kakiate, and also what Parts of the said Controverted Lands do lie within the Bounds of each of the said Patents respectively, which settlement and determination they shall make by the Hands and Seals of the said Commissioners or the Major Part of them, or the Survivors of them, or the Major Part of such Survivors shall as to all Rights, Titles or Interests derived by or from under the said two Letters Patents or either of them be absolutely binding and conclusive to upon and against all Persons now being or claiming or hereafter to have or claim any Estate, Right, Title or Interest in the Lands granted by the said two Letters Patents or either of them, and shall to all intents Construed and Purposes whatsoever absolutely vest the Right Title and Interest of such Parts of the said Lands in Controversy as shall be so determined to lie within the Bounds of each of the said Patents respectively in such Person and Persons and with such Estate and Estates as the same would be were they undoubtedly included in such of the said Letters Patent within which they shall be so determined to lie and that all and every Person or Persons claiming (by Title derived from and under one or other of the said two Letters Patent) in the said Lands that shall be so determined to lie within either of these Letters Patent having or claiming any Estate Right, Title or Interest by virtue of the other Letter Patent immediately from and after such Determination shall be utterly barred and excluded forever, and immediately thence forward all such Lands as shall by such Determination be adjudged to lie within the Bounds of either of the said Patents shall as to all Titles Claims and Interests

derived from and under the said two Letters Patent or either of them be deemed esteemed and taken to all intents Constructions and purposes whatsoever to lie within the Bounds of such of the said Letters Patent respectively wherein they shall be so determined. PROVIDED ALWAYS that nothing herein contained shall be deemed esteemed construed taken or understood to affect the Estate Right Title or Interest of his Majesty his Heirs or successors or any other person or persons, Bodies corporate or Politic not claiming or deriving Title by from or under the said two Letters Patent or either of them, any thing herein contained to the contrary thereof in any wise notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that such appointment of the said Commissioners as aforesaid, and also such their Determination as aforesaid being respectively duly acknowledged or proved in the usual Form before one of the Judges of the Supreme Court, and entered of Record in the County Records where the Lands lie or in the secretarys Office of this Colony shall be good Evidence in all Courts both of Law and Equity of such appointment and Determinations respectively. AND BE IT FURTHER ENACTED that this Act shall not be of force until the same shall have received his Majesty's Royal Approbation.



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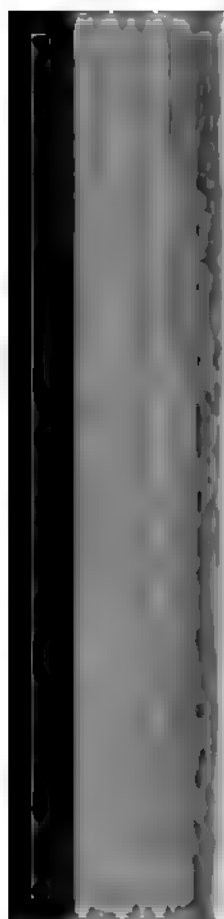
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JUN 30 2006



